From:	Namken, Alyssa M.
To:	*CI-StPaul_Contact-Council; CouncilHearing (CI-StPaul)
Cc:	Crouse, Abigail S.; Brummer, James M.; Diehm, Tami; 9781.7.imanage@file.winthrop.com
Subject:	Executed Goodrich Access Appeal - J. Brummer Affidavit (2025.03.03) - City File #24-078-362
Date:	Monday, March 3, 2025 4:32:19 PM
Attachments:	Executed Goodrich Access Appeal - J. Brummer Affidavit (2025.03.03).pdf

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Good afternoon,

On behalf of the University of St. Thomas, please find the attached Declaration made by James Brummer regarding St. Thomas's appeal of the Planning Commission decision to uphold the Enforcement Notice related to St. Thomas's 2004 conditional use permit (City File #24-078-362).

Please contact me if you have any questions.

Thank you,
Alyssa

Alyssa M. (Mullaney) Namken
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I, James M. Brummer, declare as follows:

1. I submit this declaration in support of the University of St. Thomas' ("UST") appeal filed on December 20, 2024. The Appeal requests a review of the decision of the Saint Paul Planning Commission to uphold the Enforcement Notice dated July 1, 2024, issued to St. Thomas by the Zoning Section of the Department of Safety and Inspections of the City of Saint Paul. The Enforcement Notice required the removal of the loading drive and vehicle access from Goodrich Avenue to St. Thomas' South Campus (the "Goodrich Access") to comply with the conditional use permit (#04-054501) issued in 2004 (the "CUP"). I make this Declaration based on personal knowledge and knowledge based on UST's records.

2. I have been employed by the UST since 2008 and am currently the Vice President of Facilities Management. As a senior leader at UST, I have navigated many complex zoning, permitting, and land-use issues. I have been directly involved in the planning, coordinating, and overseeing the design and construction of eight new buildings on our St. Paul campus. Based on personal knowledge and professional experience, I know UST's extensive efforts to develop the campus within the terms defined by the CUP. I'm also aware of the challenges and hardships UST would experience if the closure of Goodrich Access was enforced.

3. The Saint Paul City Council approved of the CUP on August 11, 2004. UST is also subject to a 1990 SCUP and 1995 SCUP, which remain in effect today. Since 2004, St. Thomas has constructed eleven new buildings on the Saint Paul campus, totaling more than 1.5 million square feet. The chart below provides a list of these buildings for reference.

Building Name	**Building Type**	**Year Opened**	**Building Area (sq. ft.)**
Flynn Residence Halls	Residence Life	2005	264,771
Center for Well-Being (Formally, Child Development Center)	Student Support	2006	15,338
McNeely Hall	Academic	2007	115,220
Anderson Parking Facility	Parking Facility	2009	242,275
Anderson Athletic & Recreation Complex	Athletics/Academic	2010	177,963
Anderson Student Center	Student Center	2011	218,645
Facilities and Design Center	Academic	2015	26,050
Frey Residence Hall (FRH)	Residence Life	2020	101,853
Iverson Center for Faith	Faith	2020	31,500
Schoenecker Residence Hall North (Formally, North Residence Hall)	Residence Hall	2020	203,092
Schoenecker Center	Academic	2024	130,000
Total Area New Construction Since 2004			**1,526,707**

UST has worked diligently to ensure that each of these projects conforms to the stringent and complex conditions outlined in the CUP and has completed these new building projects without seeking modification or variance to the CUP.

4. In 2023, UST initiated a modest interior renovation project inside Binz Refectory to convert existing and underutilized dining space into office space. The scope of this renovation did not involve any structural changes or alterations that would affect the building's overall function, nor did it increase the use of the Goodrich Access. Notably, this renovation was never intended to be categorized as a "remodel" in the sense envisioned by the CUP, which initially accounted for a potential residential village development on the South Campus. At no point did the renovation involve a significant change in the use of the building or the overall campus operations, and it did not affect the surrounding neighborhood in any meaningful way.

5. The Planning Commission's recent decision to uphold the enforcement for the closure of Goodrich Access was based on a narrow and literal interpretation of the CUP's language, without regard for campus operations or emergency access. Emergency access is an essential concern that should be prioritized over rigid language put into the CUP two decades ago. The Planning Commission's failure to evaluate the broader operational and public safety impacts is regrettable. Additionally, the Planning Commission's decision to deny the recommendation of the Zoning Committee and city staff, who had thoroughly vetted the topic and provided a reasonable modification to the CUP, raises questions about the consistency and fairness of the decision-making process.

6. The actions of the Planning Commission have created an environment of uncertainty and frustration. St. Thomas has always been committed to working in good faith with the community and has made extensive efforts to ensure that each project aligns with the CUP's requirements. The University's development efforts have been made with the utmost respect for the city's regulations, the community, and the surrounding environment. In this instance, we believe the Planning Commission's decision fails to consider the practical operational realities of the campus and the broader community's needs. UST also has no intention to extend Goodrich Access to other services internally to campus or modify the use beyond deliveries, maintenance vehicles, and emergency vehicles.

7. I have studied options for providing alternative emergency access to the Binz, Grace Hall and Brady Education Center. While it appears that alternative emergency access could be created to meet Code requirements, this alternative access is not ideal for three reasons. First, the alternative access route presents safety concerns because of its proximity to egress out of the west side of Grace Hall. I have spoken with Ann Blaser, Fire Protection Engineer & Fire Safety Supervisor at the City of Saint Paul. The preference of St. Paul Fire is to keep the Goodrich Access open for emergency access (reference attached email from Ann Blaser). Second, constructing this alternative access would result in less green space

and an increase in impervious surface. Third, constructing this alternative access would be costly without a strong public policy justification. The University should not be required to spend funds on alternative emergency access that is less safe and reduces green space unless there is a strong public policy reason.

8. In conclusion, if upheld, the Planning Commission's decision will create unnecessary obstacles that hinder the UST's operations and compromise emergency response to the campus community. I respectfully request that the City Council reconsider the Planning Commission's decisions and provide for a more reasoned and operationally sound approach that allows Goodrich Access to remain open as recommended by staff and approved by the Zoning Committee.

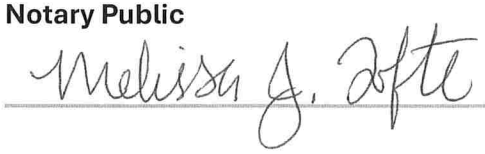
I, Jim Brummer, affirm under oath that the statements made in this affidavit are true and correct to the best of my knowledge and belief.

Signature of Affiant:

Jim Brummer

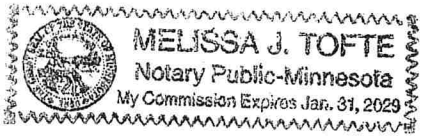
Subscribed and sworn to before me this 3rd day of March, **20** 25.

Notary Public



[Notary's Name]

My Commission Expires: _____



[Notary Seal]

Brummer, James M.

From: Ann Blaser <Ann.Blaser@ci.stpaul.mn.us>
Sent: Monday, March 3, 2025 1:37 PM
To: Brummer, James M.
Subject: RE: [External] RE: Goodrich Access: Emergency Access

Jim,

You summarized it well. As the Fire Protection Engineer for the City of St. Paul, my preference for Fire Access to Brady and Binz would be to keep the access to Goodrich open for a couple of reasons. Firstly, having a direct route to the two buildings will decrease response time as opposed to entering the South campus off of Summit Ave and traversing through campus and past the arena that is under construction. Additionally, the drive off of Goodrich is dedicated for emergency vehicles and deliveries and maintenance, and would have less traffic than the rest of the campus. I would have concerns with pedestrian safety with the emergency vehicle driving through high pedestrian traffic areas.

All that being said, both the existing access and the proposed access from the North meet code requirements for fire access to both The Binz Refactory and the Brady Education Center.

Thank you,

City of Saint Paul

Ann Blaser, P.E.
Fire Protection Engineer
Fire Safety Supervisor
She/Her/Hers
Department of Safety and Inspections
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Saint Paul, MN 55101
P: 651-266-9140
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ann.blaser@ci.stpaul.mn.us
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SAINT PAUL
MINNESOTA

From: Brummer, James M. <brum4505@stthomas.edu>
Sent: Friday, February 28, 2025 12:05 PM
To: Ann Blaser <Ann.Blaser@ci.stpaul.mn.us>
Subject: RE: [External] RE: Goodrich Access: Emergency Access

Think Before You Click: This email originated **outside** our organization.

Hi Ann,

Thank you for taking the time to review the Goodrich emergency access topic with me. I've attached the information we reviewed, including some background, existing conditions, and other exhibits related to fire truck access. We discussed the existing conditions and an alternate route for fire truck access if Goodrich access was required to close. I understand from this meeting that Saint Paul Fire prefers to keep the Goodrich access open for emergency response because the existing Goodrich access provides easier access, faster response time, and less opportunity for pedestrian conflicts.

Please let me know if this summary is correct or if you have additional details to share. Feel free to contact me with any questions you might have.

Best,

Jim Brummer
VP for Facilities Management

jim.brummer@stthomas.edu
Office: 651.962.6595
Cell: 612.968.9262

University of St. Thomas | stthomas.edu

From: Ann Blaser <Ann.Blaser@ci.stpaul.mn.us>
Sent: Wednesday, February 26, 2025 2:34 PM
To: Brummer, James M. <brum4505@stthomas.edu>
Subject: [External] RE: Goodrich Access: Emergency Access

You don't often get email from ann.blaser@ci.stpaul.mn.us. Learn why this is important

Jim,

I was able to connect with my Zoning colleague and get filled in on this project, so I am available to discuss with you on Friday the 28th at 11:00.

Thank you,

City of Saint Paul

Ann Blaser, P.E.
Fire Protection Engineer
Fire Safety Supervisor
She/Her/Hers
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SAINT PAUL
MINNESOTA

From: Ann Blaser
Sent: Wednesday, February 26, 2025 2:13 PM
To: Brummer, James M. <brum4505@stthomas.edu>
Subject: RE: Goodrich Access: Emergency Access

Jim,

I have discussed this topic with one of my Zoning colleagues, so I am familiar with the project. I would be happy to discuss with you, but would like to check in with him on where the process is at from a Zoning perspective before we have multiple contacts at the city relaying the same information to different project contacts. He is on vacation this week and will be back on Monday. Is next week too late to set up a call to discuss?

Thank you,

City of Saint Paul

Ann Blaser, P.E.
Fire Protection Engineer
Fire Safety Supervisor
She/Her/Hers
Department of Safety and

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SAINT PAUL
MINNESOTA

From: Brummer, James M. <brum4505@stthomas.edu>
Sent: Wednesday, February 26, 2025 12:49 PM
To: Ann Blaser <Ann.Blaser@ci.stpaul.mn.us>
Subject: Goodrich Access: Emergency Access

Think Before You Click: This email originated outside our organization.

Hi Ann,

Bill Dermody suggested I contact you to discuss the potential closure of the Goodrich Ave access to our south campus and its potential impacts on fire truck access. Are you familiar with this topic? There are some real concerns about the life safety impacts on our campus if we are required to close this access. Can you meet with me (via Zoom or Teams) this week to review the conditions? I would appreciate your thoughts on the topic.

Here are some availability options for me this week:

- Thursday (2/27) anytime between 10:00 AM and 1:00 PM
- Friday (2/28) anytime between 11:00 AM and 4:00 PM.

Let me know if you have 30 minutes available during these days/times, and I will follow up with a meeting invite. If helpful, I can send you additional background on the topic before a meeting.

Best,

Jim Brummer
Vice President
Facilities Management

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