

University of St. Thomas Appeal

City Council Public Hearing
March 5, 2025



SAINT PAUL
MINNESOTA

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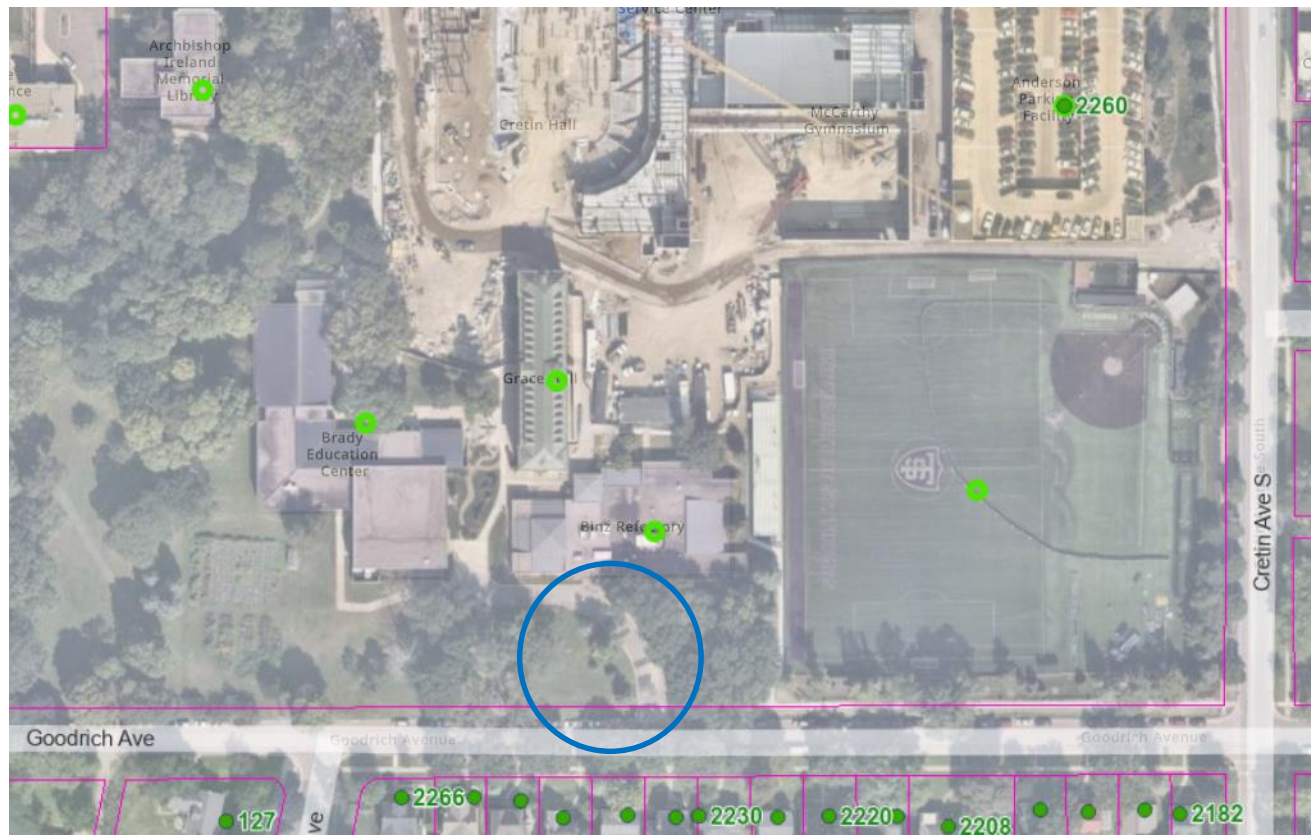


Site Overview





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2004 Conditional Use Permit

- Allowed University of Saint Thomas to expand campus boundaries





2004 Conditional Use Permit

- Initially approved by Planning Commission
- Decision appealed to City Council
- There was a lawsuit at the same time, which resulted in a negotiated settlement
- City Council's resolution added several conditions to the CUP that came from the settlement, including Condition #16:

Goodrich Ave. Access. At such time as the University remodels or replaces the Binz Refectory or replaces Grace Hall, the loading drive which currently exists between Goodrich Ave. and the Binz Refectory shall be removed, such that there shall be no vehicular access from Goodrich Ave. to any of the University's buildings on the south campus.



Condition #16:

Goodrich Ave. Access. At such time as the University remodels or replaces the Binz Refectory or replaces Grace Hall, the loading drive which currently exists between Goodrich Ave. and the Binz Refectory shall be removed, such that there shall be no vehicular access from Goodrich Ave. to any of the University's buildings on the south campus.



Violation of 2004 Conditional Use Permit

- May 9, 2024: complaint received that UST was in violation of Condition 16 of 2004 CUP
- July 1, 2024: DSI formally notified UST of violation.
- UST acknowledged receipt and did not appeal decision, requested the process move forward.
- Process is to hold a public hearing at Planning Commission to decide what to do with the violated condition.



Options for a Violated CUP Condition

1. Revoke the Conditional Use Permit
2. Uphold the violated condition
 - DSI enforcement would determine timeline for compliance
3. Delete the condition
4. Modify the condition
5. Impose additional conditions

Deleting the condition would be based on finding the condition “to be unnecessary, unreasonable, or impossible of compliance.”



Zoning Committee

- Public hearing held November 21 and December 5, 2024
- Staff recommended that Condition 16 be modified to limit use of the driveway to emergency access, maintenance, and deliveries, but not require its removal
 - Based on the condition being “unnecessary” to meet the required Conditional Use Permit findings for the campus expansion.
- The Zoning Committee agreed with the staff recommendation, and further revised staff’s modified Condition 16 language in response to UST’s requests made during the hearing to clarify that materials could be delivered to both Brady Education Center and the Binz Refectory, and that the drive could be maintained for current purposes for up to two years during arena construction.



Planning Commission

- On December 13, 2024 the Planning Commission voted to uphold Condition 16 (as is)
- On December 20, 2024, the University of St. Thomas appealed that decision



Key Finding: Comprehensive Plan conformance

- Planning Commission found:
The drive access in question must be removed to comply with 2040 Comprehensive Plan Policy LU-54: “Ensure institutional campuses are compatible with their surrounding neighborhoods by managing parking demand and supply, maintaining institution-owned housing stock, minimizing traffic congestion, and providing for safe pedestrian and bicycle access.”
- Zoning Committee and Staff had found:
The Comprehensive Plan finding can be met if Condition 16 were modified to limit how the drive-access is used. The drive-access in question predates the 2004 CUP, and allowing it to remain is also consistent with the broad objectives stated in the Policy LU-54, provided the CUP is amended to resolve the noncompliance.



PC vs. ZC recommendations

- Planning Commission upheld Condition 16 (as is):
Goodrich Ave. Access. At such time as the University remodels or replaces the Binz Refectory or replaces Grace Hall, the loading drive which currently exists between Goodrich Ave. and the Binz Refectory shall be removed, such that there shall be no vehicular access from Goodrich Ave. to any of the University's buildings on the south campus.
- Zoning Committee recommended a modified Condition 16:
Goodrich Ave. Access. The loading drive which currently exists between Goodrich Ave. and the Binz Refectory shall be used only for materials deliveries to and pickups from Binz Refectory and Brady Education Center, maintenance vehicles, and emergency vehicles. It may not be used for student, employee, or visitor vehicle traffic and it may not be connected to parking spaces accessed by those users, except that the drive may be maintained for current purposes for an interim period during construction of the multipurpose arena and associated access infrastructure, for a period not to exceed two (2) years.



Options for City Council

1. Deny the appeal (uphold the Planning Commission decision and require removal of the drive-access from Goodrich)
2. Grant the appeal and take another action regarding Condition 16, such as modifying the condition or deleting the condition



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