

From: [Kristin Koziol](#)
To: [Greg Weiner](#)
Subject: Fw: Binz Driveway on UST Campus
Date: Monday, March 3, 2025 8:53:05 AM

For APC 25-1

From: Patrice Werner <patwernerme@gmail.com>
Sent: Saturday, March 1, 2025 02:21 PM
To: #CI-StPaul_Ward3 <Ward3@ci.stpaul.mn.us>; #CI-StPaul_Ward4 <Ward4@ci.stpaul.mn.us>
Subject: Binz Driveway on UST Campus

Some people who received this message don't often get email from patwernerme@gmail.com. [Learn why this is important](#)

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

To Whom it May Concern,

I am the resident who lives straight across from the driveway to Binz. I have lived with early morning deliveries (before the gates are open for access) and the team buses that idle and then park right in front of my house. (Plenty of people and gas fumes.) I have accepted the inconvenience for more than thirty years.

This summer, I was informed that UST was required to remove the driveway IF they performed improvements to the Binz. UST agreed to the stipulations in order to get approval for another variance on campus.

Not only did UST ignore its promise to remove the driveway, but the following year, UST continued to make improvements to the building and still did not remove the driveway. All construction was completed under the cloak of night, not reporting their improvements. TWICE!

UST has sinned by omission. They didn't keep their word. How can the community look to UST as an institution of integrity and virtue when they have kept their illegal actions hidden?

It looks like UST has a card, Blanche, from Saint Paul. Is UST ever going to answer for their dishonesty? Will UST ever follow through on its promises? Can anyone force UST to follow through? I would like to believe that UST will do its duty. I was shocked to hear that UST just "didn't want to" remove the driveway. I respectfully ask you, the city of St Paul, to force UST to remove the driveway by the summer of 2025.

Thank you for the opportunity to submit my concerns.

Sincerely,

Patrice Egan Werner
2240 Goodrich Avenue
Saint Paul, MN 55105
(651)214-3007

From: [Tom Alf](#)
To: [*CI-StPaul>Contact-Council](#)
Cc: [Karen Alf](#)
Subject: UST appeal of Planning Commission upholding 2004 CUP Condition re Goodrich Drive Access
Date: Sunday, March 2, 2025 11:32:22 AM
Attachments: [250226 Alf 03-01-25 Comment to St Paul City Council re CUP violation Binz entrance.docx](#)

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To: Saint Paul City Council
From: Tom and Karen Alf, 2252 Fairmount Ave, St Paul MN 55105
Re: CUP (ZF#04-054-501) and Noncompliance of Planning conditions (ZF #24-078-362)

Note: We have also attached a word document copy of this email if that is preferable.

We ask the City Council to **deny UST's appeal** of the St Paul Planning Commissions decision to refuse to amend the 2004 CUP Condition 16 which requires St Thomas to remove the Goodrich Ave Loading driveway leading to the Binz Refectory and Brady Education Center for two main reasons.

First, there is no reason UST needs vehicular access on Goodrich Ave. Access to Binz for deliveries or emergency vehicles can be made via the new Cretin Ave entrance using the arena's driveway system plan. The south campus arena project added a second access driveway just south of the one near Grand Ave which can allow access to Binz and Brady Education Center.

While some modification may be needed to the arena driveway plan and to the Binz Refectory, the cost surely would be modest compared to the \$185 million arena cost. St Thomas was made aware by Advocates for Responsible Development of the Condition 16 violation of the 2004 CUP in March 2024 caused by their extensive remodeling of the Binz Refectory in 2022 and 2023. UST had ample time during the arena project planning to incorporate any changes required by closure of the Goodrich Ave access to the Binz Refectory.

Second, enforcement of the proposed amendment (shown below) is not practical. Enforcement would require an independent body like the city of St Paul to provide continual weekly monitoring of the Goodrich Ave driveway access. The City does not even have resources to proactively monitor the current extensive illegal parking in the neighborhoods around UST mainly caused by UST students/faculty.

Thank you for taking time to read our comment.

Respectfully, Tom and Karen Alf

[Proposed 11/20/24 amendment to Condition 16 denied by the St Paul Planning Commission as of December 13, 2024 meeting.](#)

11/20/24 Zoning Committee STAFF RECOMMENDATION: Based on the above findings, staff recommends deleting Condition 16 and replacing it with the following condition:

1. **Goodrich Ave. Access.** The loading drive which currently exists between Goodrich Ave. and the Binz Refectory shall be used only for deliveries to Binz Refectory, 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.

From: [Meg Grove](#)
To: [*CI-StPaul>Contact-Council](#); [#CI-StPaul.Ward4](#)
Subject: Hold St. Thomas to provisions of the 2004 Conditional Use Permit
Date: Monday, March 3, 2025 2:17:32 PM

I have lived at 2198 Goodrich, just down the street from St. Thomas' Binz Refectory and driveway. I am writing to urge the City Council to hold St. Thomas to the 2004 Conditional Use Permit, including directing the school to close the Binz driveway as stipulated in the CUP after the Binz Refectory remodeling project.

I would like you to know that I love Saint Paul, that I am active in a variety of groups and organizations seeking to make our City a great place to live, to raise families, and to grow old. For example, I am a member of the West Summit Neighborhood Advisory Council (WSNAC), the group founded because of provision #11 in the CUP. WSNAC's work is about finding balance between the interests of St. Thomas and those of people who live around the school. Balance is the operative term here.

There are people who say "you should just move if you don't like it." Or "you should have known when you decided to live near St. Thomas." First, I will not be bullied. I chose Saint Paul and continue to choose it every day. Second, to those who say "you should have known" – what, exactly, should I have known? Let's turn things around and say "St. Thomas, you should have known you would be held to the CUP."

There are those who say "well this provision in the CUP is no big deal. No harm, no foul. A little adjustment will be fine." It won't be fine. The driveway is routinely used for all manner of things, and I fully expect that if it is left in place, the use will grow and grow.

Remember, St. Thomas agreed to the CUP. Just because it is not convenient for those in the current administration does not mean they get to ignore it. If they are allowed to change or ignore the agreement unilaterally, what is next? And what about the next administration? Where does it end?

People who call this area home rely on the enduring power of this negotiated, signed agreement. Please hold St. Thomas to the CUP. It is important to demonstrate to the neighbors that we matter too.

Meg Grove
2198 Goodrich Avenue
Saint Paul MN

From: [Jane Prince](#)
To: [*CI-StPaul_Contact-Council](#)
Subject: Public Comment for APC25-1 | City Council 03/05/25 Agenda No. 34
Date: Monday, March 3, 2025 4:42:30 PM
Attachments: [Benanav Prince Public Comment.APC25-1.030525.pdf](#)

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City Council,

Please add this to the public for the above referenced public hearing agenda item.

Jane Prince
651-308-4984

Jane L. Prince
Phone: [651-308-4984](tel:651-308-4984)

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TO THE SAINT PAUL CITY COUNCIL: JAY BENANAV AND JANE PRINCE URGE THE CITY COUNCIL TO UPHOLD THE 2004 CITY, UNIVERSITY OF ST. THOMAS, AND NEIGHBORS AGREEMENT FOR THE SAKE OF LONGSTANDING COMMUNITY TRUST

We write to the current Saint Paul City Council, to share with you some of the background on how the University's 2004 Conditional Use Permit was negotiated, and in view of this, to urge this Council to continue to uphold and enforce the terms of the Agreement. Failure to enforce it would violate the unambiguous intent of all parties.

The extraordinary events that led to the unanimous agreement and release of all claims by the University, the Macalester Groveland Community Council, the Summit Avenue Residential Preservation Association, the Merriam Park (now Union Park) Community Council and Neighbors United, set into motion an unprecedented partnership between a University and its neighbors. This conditional use permit paved the way – for over 20 years – for the extensive development of the University campus based on a shared commitment to the letter and the law of the agreement.

Amending and thereby opening up this agreement to favor the wishes of *any single party* is done at the peril of ending the commitment -- to consensus and peaceful coexistence -- achieved to advance the planning and development of the vital residential, business and institutional, "town and gown" interests – in this broad segment of the City of Saint Paul.

In late 1999, the University of St. Thomas publicly announced and informed the City and its neighbors that it desired to expand its campus boundaries to include all of the land bounded by Summit, Grand, Cleveland and Cretin Avenues, in order to construct five new academic buildings and a residential village. Thus began a five- year period of negotiation, dialogue and debate, which ultimately led to a negotiated agreement which remains in place today. We were full participants in this process.

In 2002, the City, University, The Saint Paul Foundation, Merriam Park Community Council, Macalester Groveland Community Council, Summit Avenue Residential Preservation Association, and Neighbors United engaged Rick Heydinger and Bill Svrluga of The Public Strategies Group to help all the above "find a resolution" of their differences. The PSG Representatives met numerous times with each group separately and all groups together (often including us) over many months. Each party presented proposals and counterproposals, *but after nine months of dialogue and a significant narrowing of differences, were unable to come to a mutual agreement.*

In 2003, the City prepared a draft Environmental Assessment Worksheet to which the neighborhood groups made suggestions and counterproposals. In response, the University made additional changes and modifications to its plans. Public meetings were attended by hundreds of people supporting multiple points of view. In May 2004, the Planning Commission approved the University's "final" proposal. The four neighborhood groups appealed the Planning Commission's decision to the City Council. SARPA sued the City and the University in the Ramsey County District Court, alleging violations of the Minnesota Environmental Rights Act.

So, by July 2004, the City found itself faced with the defense of a lawsuit, and 2) multiple appeals from neighborhood organizations seeking to have this five-year dispute voted on by a divided City Council.

We (Councilmember Benanav and Legislative Aide Jane Prince) still believed that the best outcome would be an agreement between all the parties, due to the good faith we believed was still present -- despite prior unsuccessful negotiations.

To that end, we implored all parties to come back to the negotiating table to participate in one more series of meetings with all parties and Councilmember Benanav, to try to achieve a final, mutual agreement. We met for several nights and dozens of hours of intense discussion.

At last, the University, the four neighborhood groups, and the City came to an agreement. On August 3, 2004, we met in Doug Hennes' office and finalized the language and terms of the deal. On August 11, 2004, in Council File 04-792, after receiving the OK from the City Attorney, the Council unanimously approved the University's new 18-page Conditional Use Permit and each of the parties, including the City, executed a separate "Release of All Claims," which bound all of the signers to all of the terms and conditions of the compromise, which stated: *"This release contains the entire agreement between the parties hereto and the terms of this Release are contractual and not a mere recital."*

The UST CUP stands out as a unique entity among Saint Paul conditional use permits. It was the result of five years of arduous negotiation and diligent hard work to reach a final resolution. The language in the Release of All Claims, we believe, is unparalleled and not to be found as a part of any other Saint Paul CUP. The final deal gave the University all of the campus expansion area which it sought, and it came with conditions pertaining to limits for development and uses within the zoning code. It also came with the following condition, set forth in Paragraph 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 Avenue and the Binz Refectory shall be removed, such that there shall be no vehicular access from Goodrich Avenue to any of the University's buildings on the south campus.

The City's Department of Safety and Inspections has found that the Binz Refectory has been remodeled. This conclusion makes sense, as the building permit data and plans show significant changes to the building and expenditures of over \$1.25M. We ask the City Council to uphold the agreement made between the parties in the conditional use permit in 2004, and direct the University to fulfill the condition it agreed to in Paragraph 16. We believe that the City Council, as the governing body responsible for overseeing and enforcing such agreements, has the power and the duty to ensure compliance.

With sincere respect and gratitude for your service to Saint Paul,

Jay Benanav, Councilmember Ward 4 1997-2007
1898 Ashland Ave., Saint Paul, MN 55104, 651-485-9995

Jane Prince, Councilmember Ward 7 2016-2024; Council Aide Ward 4, 1997-2007
1004 Burns Ave., Saint Paul, MN 55106, 651-308-4984

From: [Kaleb McCulloch](#)
To: [*CI-StPaul_Contact-Council](#)
Cc: [John Perlich](#)
Subject: SPAC Letter of Support re: APC 25-1 - University of St. Thomas Appeal
Date: Monday, March 3, 2025 4:32:54 PM
Attachments: [image001.png](#)
[SPAC_3.5.25_APC25-1_University_of_St._Thomas_Appeal_Public_Comments.pdf](#)

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Hello,

Please find attached the St. Paul Area Chamber's letter for Wednesday's public hearing on APC 25-1, regarding the University of St. Thomas appeal of the decision by the Planning Commission to uphold a condition of the 2004 conditional use permit.

Thank you,
Kaleb McCulloch



Kaleb McCulloch
Senior Director of Government Affairs
C | 320.515.1801
D | 651.265.2788
kaleb@stpaulchamber.com



March 5, 2025

Council President Rebecca Noecker
Councilmember Anika Bowie
Councilmember Saura Jost

Council Vice President Hwa Jeong Kim
Councilmember Nelsie Yang
Councilmember Cheniqua Johnson

Re: APC25-1, University of St. Thomas Appeal, Modifying CUP to Allow Continued Goodrich Avenue Access

Dear Council President Noecker and members of the City Council,

On behalf of the St. Paul Area Chamber and our 1,900+ members and affiliates, I write to express our support for the University of St. Thomas's appeal to modify its Conditional Use Permit (CUP) and allow the continued use of the Goodrich Avenue access.

The Goodrich Avenue access point provides emergency response access to Binz Refectory, Grace Hall, and the Brady Educational Center. It does not serve as a parking lot for student, faculty, or visitor traffic, and is seldom used for deliveries. Losing this access point would create logistical challenges for these facilities while hindering emergency response times. A new emergency access point would need to be constructed, resulting in more paved surfaces and reduced green space on the South Campus.

The University of St. Thomas is an anchor institution in Saint Paul and has long demonstrated its commitment to fostering a campus that integrates with its surrounding neighborhoods. The work completed on the Binz Refectory did not fundamentally alter its structure. These modifications provided temporary space for displaced athletic department functions in preparation for the new arena. It remains a dining facility primarily serving Seminary students, with no plans to change this use. These changes do not warrant the elimination of this critical emergency and service access point.

We respectfully ask that you approve the University of St. Thomas's appeal to modify the Conditional Use Permit and allow the Goodrich Avenue access to remain in place for emergency access and limited deliveries to facilities on the South Campus.

Thank you for your time and attention. Please don't hesitate to reach out with any questions.

Sincerely,



B Kyle
President and CEO
St. Paul Area Chamber

