

city of saint paul  
planning commission resolution  
file number 95-27  
date April 14, 1995

WHEREAS, THE ST. PAUL SEMINARY AND THE UNIVERSITY OF ST. THOMAS, file #95-024, have applied for a Special Condition Use Permit under the provisions of Section 60.413(7) of the Saint Paul Legislative Code, to expand the St. Paul Seminary campus boundary to allow the construction of a retired priests' residence and modification of the existing St. Paul Seminary special condition use permit to allow a 0 foot setback from its interior lot lines, on property located at 2260 SUMMIT AVENUE, legally described in the file; and

WHEREAS, the Zoning Committee of the Planning Commission held public hearings on March 16 and April 6, 1995, at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of Section 64.300 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing, as substantially reflected in the minutes, made the following findings of fact:

1. The University of St. Thomas is planning to build a new science building at the southwest corner of Summit and Cretin Avenues where the Byrne residence for retired priests is currently located. Before the university can build there they must construct a new priests' residence. The new residence is proposed to be located on the St. Paul Seminary Campus along Mississippi River Boulevard and adjacent to Ireland Library. As proposed, the building would be constructed over the existing property line shared by the university and seminary.

The university and seminary would like to adjust the location of the common boundary between them so that the entire priests' residence is contained within the campus boundary of the seminary. Thus, they are requesting an expanded campus boundary for the seminary which in turn necessitates a new campus boundary for the university. The seminary campus would increase by about 9,150 square feet and the university campus would decrease by the same amount.

There is no new property currently outside of an established campus boundary which will be incorporated into a new campus boundary; the current application is simply to allow for an adjustment of a common boundary between the university and the seminary and will not incorporate any property not already within the boundaries of the seminary and university campuses.

moved by Morton  
seconded by \_\_\_\_\_  
in favor Unanimous  
against \_\_\_\_\_

In addition to the expanded campus boundary the seminary is requesting a modification of the condition of the its special condition use permit relating to the requirement for a 50 setback from every property line. The seminary is requesting that the setback be reduced from 50 feet to 0 feet for all *interior* property lines; the seminary is making this request in order to be able to proceed with the plans for the priests' residence as proposed. The special condition use permit issued to the university in 1990 provided for 0 foot setbacks from all interior property lines. The applicants are requesting that the setback requirements for the seminary and university be consistent with respect to interior property lines.

2. As proposed, the Byrne residence is three stories tall and has underground parking. The building is proposed to be located along Mississippi River Boulevard, setback 70 feet from the property line and 40 feet landward of the bluff line. The residence will include up to 29 one bedroom apartments, a common area, and a dining room.

Access to the building will be from an existing driveway on Mississippi River Boulevard. The residence is designed to blend into the existing physical environment; the increase in traffic along Mississippi River Boulevard is expected to be minimal since the residence, which will have only 29 units, is for retired priests. The seminary plans to lease the property on which the residence will sit to the Archdiocese of St. Paul and Minneapolis, which will operate the residence.

3. Section 60.413 (7) of the Zoning Code identifies colleges, universities, and seminaries as permitted uses subject to special conditions in the R-1 through R-4 (single-family) zoning districts, as they are in all subsequent residential zoning districts except RM-3 (high density multiple family). They are subject to six conditions. Condition d. requires that the boundaries of the institution be identified in the permit, and describes the process by which an institution may apply for an expansion of that boundary.

Condition d. states:

*The applicant shall submit an "anticipated growth and development statement" for approval of a new or expanded campus boundary, which statement shall include but not be limited to the following elements:*

1. *Proposed new boundary or boundary expansion.*
2. *Enrollment growth plans that include planned or anticipated maximum enrollment by major category (full-time, part-time, undergraduate, graduate) over the next ten (10) years and also the anticipated maximum enrollment over the next twenty (20) years.*
3. *Plans for parking facilities over the next ten (10) years, including potential locations and approximate time of development.*
4. *Plans for the provision of additional student housing, either on-campus or off-campus in college-controlled housing.*
5. *Plans for use of land and buildings, new construction and changes affecting major open space.*
6. *An analysis of the effect this expansion (or new campus) will have on the economic,*

*social and physical well-being of the surrounding neighborhood, and how the expansion (or new campus) will benefit the broader community.*

The applicants were not required to submit a detailed anticipated growth statement in this case since the request for expanded/new campus boundary reflects a simple adjustment of common boundary and does not relate to a plan on the part of the university or seminary to increase enrollment. The boundary adjustment will facilitate the relocation of the existing Byrne residence onto seminary property and is not expected to impact the size or function of the seminary or the university.

4. Section 60.413 (d) describes the criteria to be used in evaluating an application for an expanded campus boundary, as follows:

Approval of a new or expanded campus boundary shall be based on an evaluation using the general standards for special condition uses found in Section 64.300, and the following criteria:

- a. *Anticipated undergraduate student enrollment growth is supported by plans for student housing that can be expected to prevent excessive increase in student housing demand in residential neighborhoods adjacent to the campus.*

The current application is to allow for an adjustment of common boundary between the seminary and university and is not related to a plan for increased undergraduate enrollment, therefore no excessive increase in student housing demand in residential neighborhoods adjacent to the campus is expected.

- b. *Potential parking sites identified in the plan are generally acceptable in terms of possible access points and anticipated traffic flows on adjacent streets.*

Between 29 and 37 underground parking spaces will be provided for the new building which is adequate to serve the use. The spaces will be for use by priests and resident staff members and visitors. The parking requirement for the proposed use is one space for every three beds. Access to the underground parking area will be from an existing driveway on River Boulevard.

- c. *Plans for building construction and maintenance of major open space areas indicate a sensitivity to adjacent development by maintaining or providing adequate and appropriately located open space.*

The proposed location for the new residence was chosen over several alternative sites out of a desire to preserve other areas for green space or recreational use. The other alternative sites considered are: 1) open area on the southeast corner of Summit Avenue and Mississippi River Boulevard, west of the main seminary building; 2) wooded area on the northeast corner of Goodrich Avenue and Mississippi River Boulevard, west of Brady Educational Center; and 3) the ball fields on the northwest corner of Goodrich and Cretin Avenues.

- d. *The proposed new or expanded boundary and the "anticipated growth and development statement" are not in conflict with the city's comprehensive plan.*

The District 14 Plan (1979) does not specifically address the issue of the expansion of the seminary campus.

The Land Use Plan (1980), an element of the Comprehensive Plan, has a section titled "Expansion of Institutional Land Uses", (p. 35). This section contains the following two policies:

**Policy 4.5-1:** Through zoning and building permit processes, the city will discourage the expansion of institutional uses where it would not support established city policies.

**Policy 4.5-2:** The city will work with the district councils and institutions to resolve land use conflicts arising from the competing needs of the institutions and their neighbors.

5. Condition d., General Standards. 64.300 (c). Before the Planning Commission may grant approval of a permitted use subject to special conditions, the Commission shall find that:
- a. *The extent, location, and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.*
  - b. *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.*
  - c. *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.*
  - d. *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*
  - e. *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.*

The new campus boundaries are in conformance with these general standards.

6. The requirement of the existing seminary special condition use permit that setbacks for all buildings on a campus of a university or seminary be 50 feet from all property lines did not anticipate that campuses of two such institutions would be adjoining. Staff recommends that this provision of the seminary permit be modified to be consistent with the 0 foot setback in the university's permit since they share a common boundary.
7. Section 64.300(f) of the zoning code states, "The planning commission, after public hearing, may modify any or all special conditions, when strict application of such special conditions

would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property. The requirements of Sections 61.100 through 61.105 (schedule of regulations, i.e., setbacks, etc.) and 62.103 (parking requirements) shall remain in force and effect and shall not be superseded or waived by any such modification of a special condition."

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, that under the authority of the City's Legislative Code, the application for a Special Condition Use Permit to expand the St. Paul Seminary campus boundary to allow the construction of a retired priests' residence and modification of the St. Paul Seminary's existing special condition use permit to allow a 0 foot setback from its interior property lines, at 2260 SUMMIT AVENUE, is hereby approved, subject to the following conditions:

1. The St. Paul Seminary boundary is hereby amended from that established on July 24, 1987 and is now set forth in the attached map marked "Exhibit A" dated April 14, 1995 and incorporated into this resolution.
2. The building setbacks for the St. Paul Seminary are hereby amended from those established on July 24, 1987 and are now set forth in the attached map marked "Exhibit B" dated April 14, 1995, and as described by the following:

**Summit Avenue: 100 feet** from the southerly right-of-way;

**Mississippi River Boulevard: 100 feet** from the easterly right-of-way of Mississippi River Boulevard between the southerly right-of-way of Summit Avenue and a point 436 feet south of the right-of-way of Summit Avenue;

**Mississippi River Boulevard: 70 feet** from the easterly right-of-way of Mississippi River Boulevard between a point 436 feet south of the right-of-way of Summit Avenue and the southern seminary campus boundary line.

3. Building setbacks along the common boundary with the University of St. Thomas shall be 0 feet.
4. The St. Paul Seminary will not expand a seminary use to any property outside of the campus boundary as defined in attached Exhibit A unless a change in the boundary is approved by the Planning Commission.
5. Every January 31st the St. Paul Seminary will report in writing the numbers of employees, students, dormitory beds, and parking spaces for the previous fall term.
6. Additional parking spaces will be provided as required whenever the base level of employees, dormitory beds, and part-time students identified in the permit increases by more than 10

percent to 234, an increase of 22.

BE IT FURTHER RESOLVED, by the Saint Paul Planning Commission, that under the authority of the City's Legislative Code, the application for a Special Condition Use Permit to change the campus boundary of the University of St. Thomas, at 2260 SUMMIT AVENUE, is hereby approved, subject to the following conditions:

1. The University of St. Thomas campus boundary is hereby amended from that established on January 26, 1990 and is now set forth in the attached map marked "Exhibit A" dated April 14, 1995 and incorporated into this resolution.
2. The building setbacks for the University of St. Thomas campus are hereby amended from those established on January 26, 1990 and are now set forth in the attached maps marked "Exhibit B" dated April 14, 1995 and "Exhibit C" dated February 9, 1990 and as described by the following:

**Mississippi River Boulevard: 75 feet** from the easterly right-of-way of Mississippi River Boulevard between the northern campus boundary line and the northerly right-of-way of Goodrich Avenue;

**Goodrich Avenue: 65 feet** from the northerly right-of-way of Goodrich Avenue between the easterly right-of-way of Mississippi River Boulevard and the westerly right-of-way of Cretin Avenue.

Setbacks along the boundary with the St. Paul Seminary shall be 0 feet, provided that setbacks, as required by Section 60.413(6)(b), shall apply if the Seminary changes to residential use.

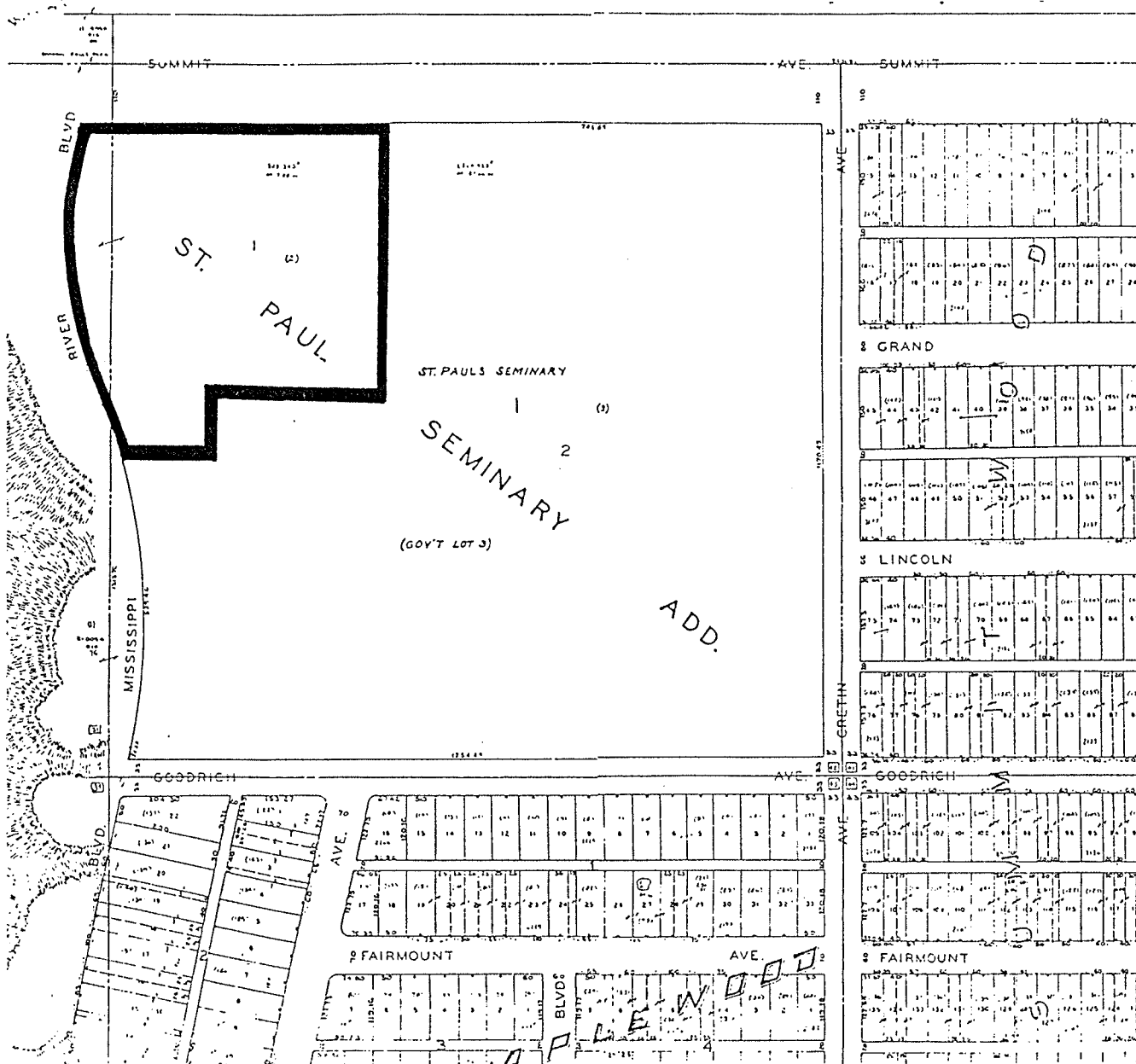
3. The existing off-street parking provided as of Fall 1988 is as follows: 1,759 spaces.
4. The student enrollment as of Fall Semester, 1988, is as follows:  
Full-time students living off-campus - 2,683  
Part-time students - 3,658.
5. The staff and employee size as of Fall Semester, 1988, is as follows: 1,051.
6. The dormitory bed levels as of this date area as follows: 1,711.
7. University of St. Thomas will not expand a college use to any property outside of the campus boundary as defined in this permit unless a boundary change is approved by the Planning Commission.
8. Every January 31st, the University of St. Thomas will report in writing to the Planning Division staff the numbers of employees, students, dormitory beds, and parking spaces for the previous fall term.

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9. Additional parking spaces will be provided as required whenever the base level of student enrollment, staff and employee size and/or dormitory bed levels identified in the permit increases by a minimum of 10 percent or 300, whichever is less.

EXHIBIT A CAMPUS BOUNDARY April 14, 1995



ST. PAUL SEMINARY SPECIAL CONDITION USE PERMIT

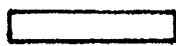
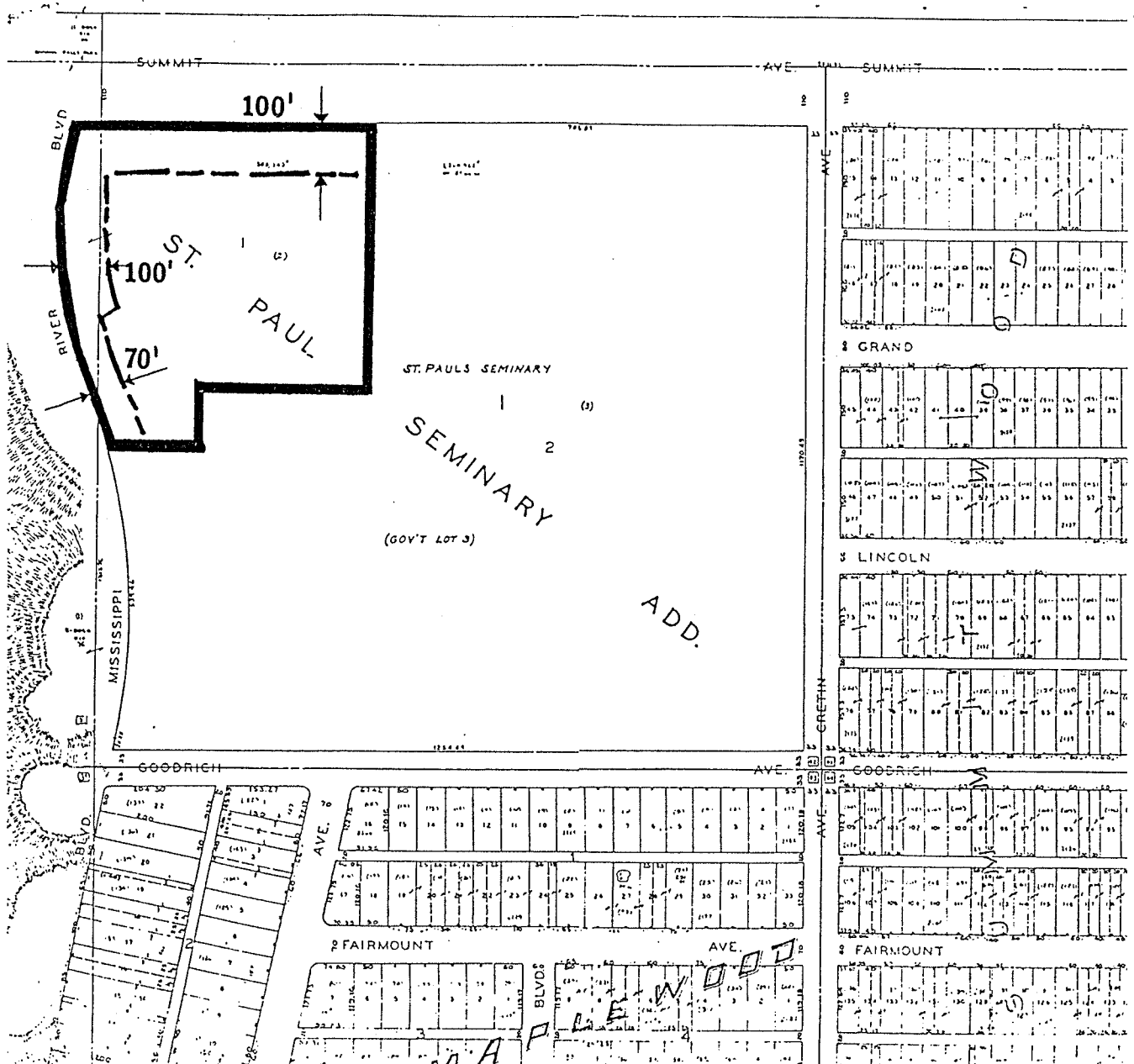
 Campus Boundary

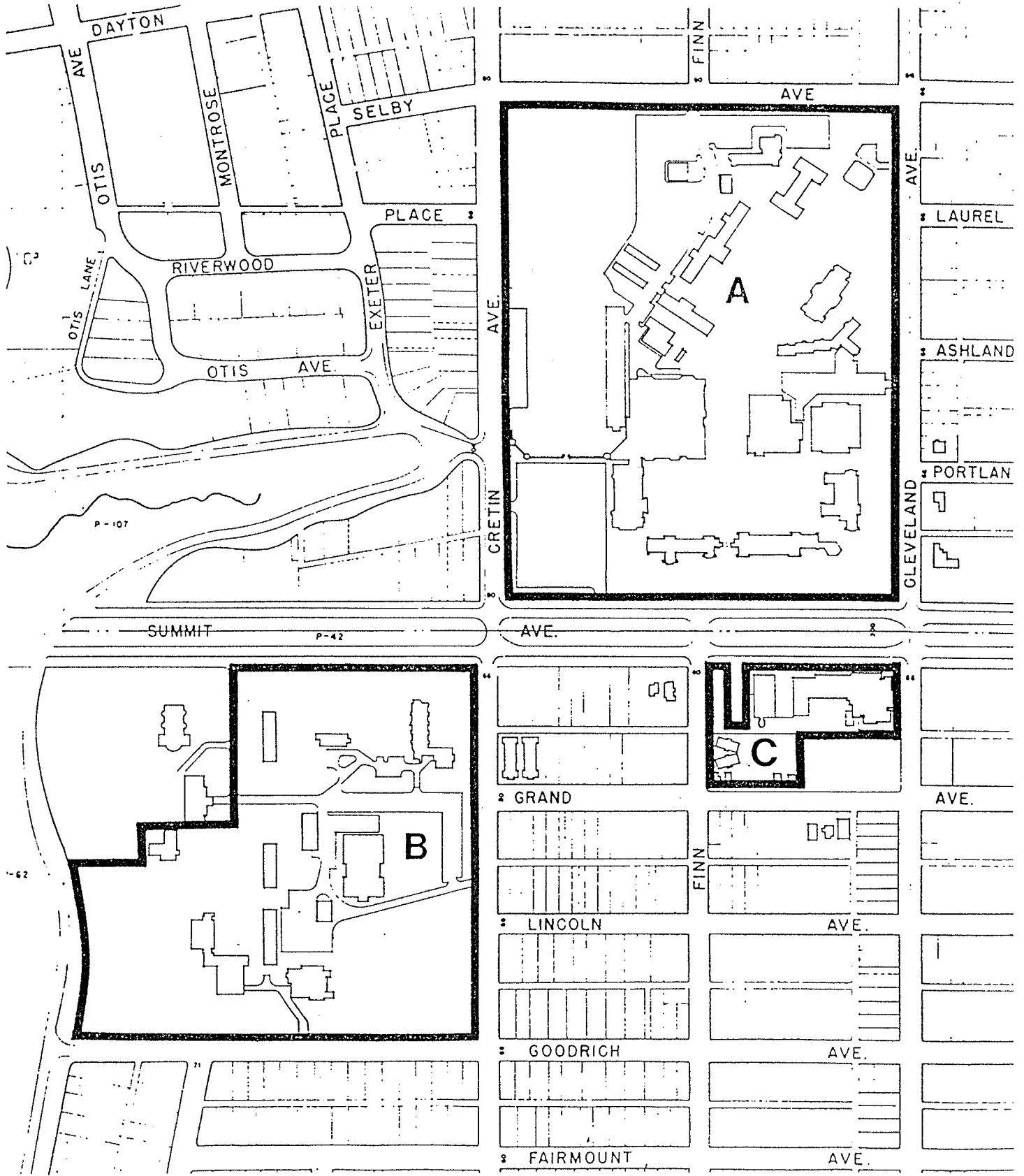
EXHIBIT B SETBACKS - April 14, 1995



ST. PAUL SEMINARY SPECIAL CONDITION USE PERMIT

----- Setbacks

EXHIBIT A CAMPUS BOUNDARY - April 14, 1995



UNIVERSITY OF ST. THOMAS SPECIAL CONDITION USE PERMIT


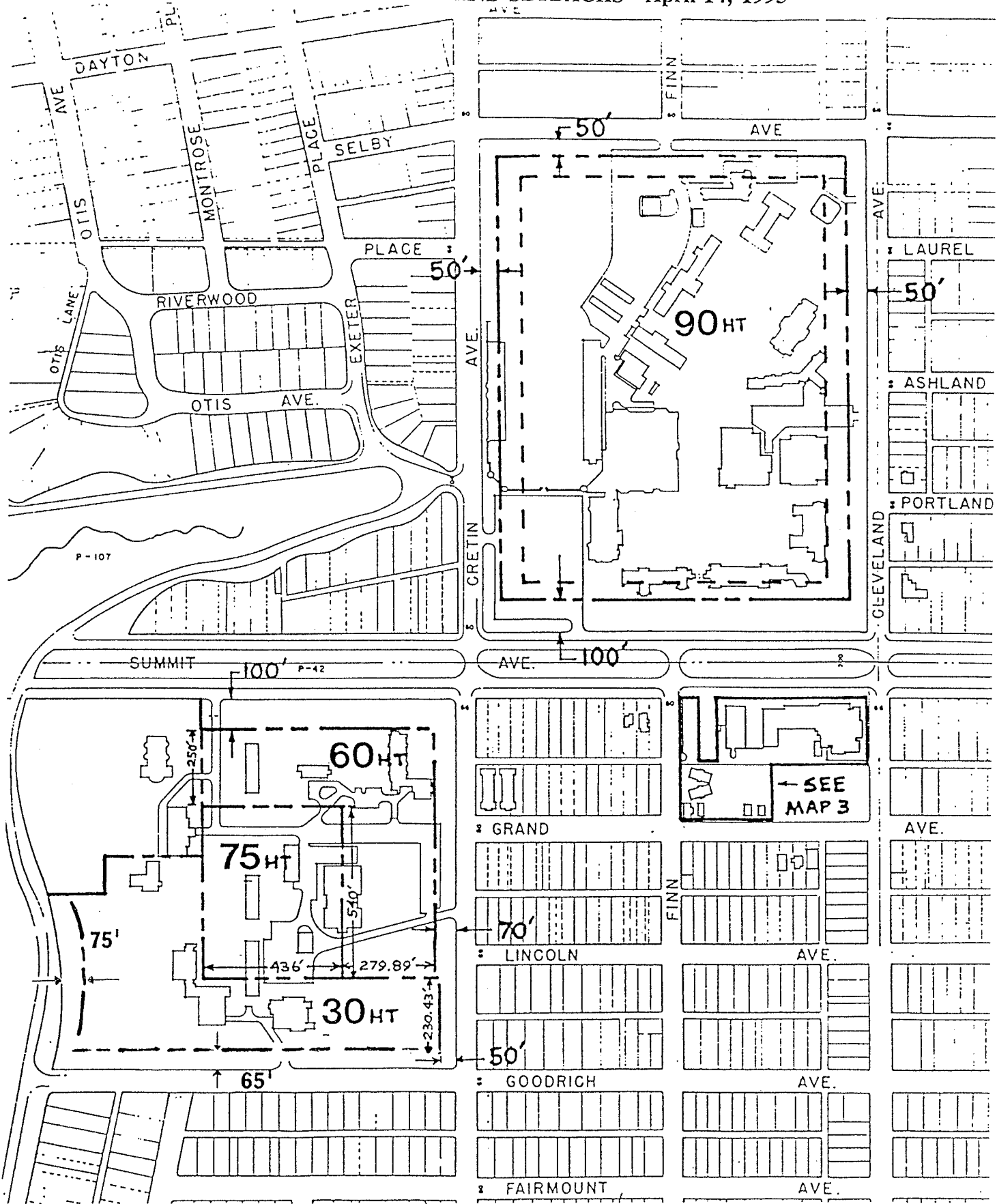
 Campus Boundary

EXHIBIT B HEIGHT AND SETBACKS - April 14, 1995



UNIVERSITY OF ST. THOMAS SPECIAL CONDITION USE PERMIT

- Setback
- Additional setback for maximum height

The purpose of this amendment to exhibit C is to change heights and setbacks on Grand Avenue to allow for a 50 foot high building with a 50-foot setback, with 60 feet as a maximum building height as setback increases in from Grand Avenue in accord with the 40-acre study zoning.

PORTLAND

CLEVELAND

SUMMIT

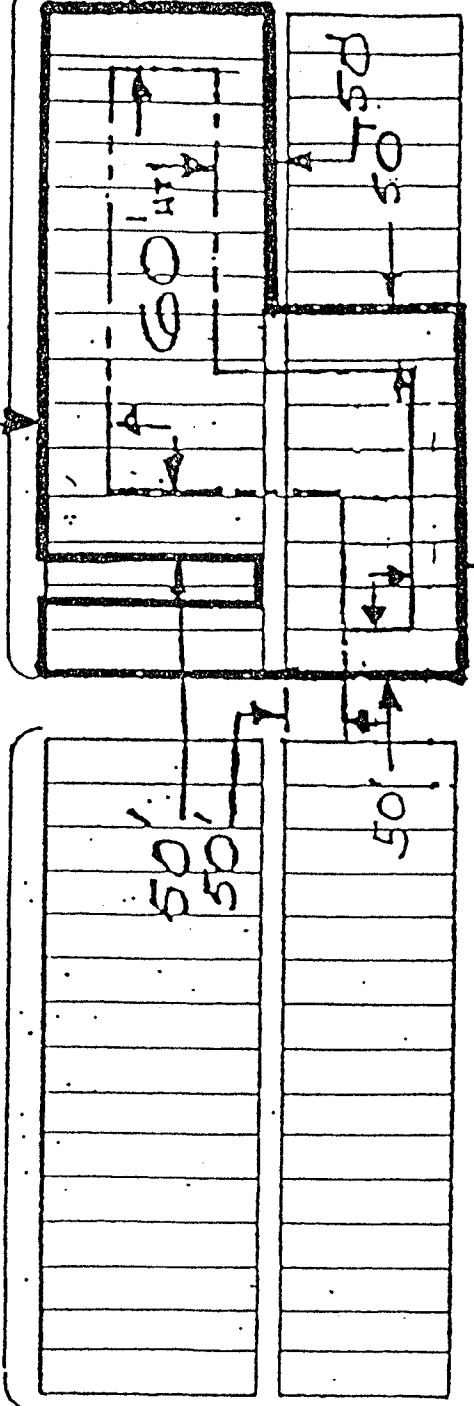
AVE.

NORTH

AVE.

GRAND

CRETIN



--- Setback

▭ Campus Boundary

EXHIBIT C  
February 9, 199