

**Department of Community Planning and Economic Development – Planning Division**  
Conditional Use Permits, Variance, Site Plan Review, Vacation  
BZZ-3543, VAC 1480

**Date:** July 16, 2007

**Applicant:** DeLaSalle High School

**Address of Property:** 25 West Island Ave, 201 Island Ave East

**Project Name:** DeLaSalle High School Athletic Field Project

**Contact Person and Phone:** Eric Galatz, (612) 335-1509

**Planning Staff and Phone:** Tara Beard, (612) 673-2351

**Date Application Deemed Complete:** April 23, 2007

**End of 60-Day Decision Period:** June 22, 2007

**End of 120-Day Decision Period:** The applicant was notified in writing on May 11, 2007 that the decision period was extended to August 21, 2007

**Ward:** 3      **Neighborhood Organization:** Nicollet Island – East Bank Neighborhood Association

**Existing Zoning:** R1A Single-family District, R3 Multiple-family District

**Zoning Plate Number:** 14

**Lot area:** 351,946 square feet

**Proposed Use:** An outdoor athletic field for football and soccer with associated seating, a press box, concession and storage structures.

**Concurrent Review:**

- Conditional Use Permit to allow an athletic field.
- Conditional Use Permit to allow light fixtures in the Shoreland Overlay District in excess of 35 feet high.
- Conditional Use Permit to allow development within 40 feet of a steep slope in the Shoreland Overlay District.
- Variance to allow development within 40 feet of a steep slope in the Shoreland Overlay District.
- Site Plan Review
- Vacation of that portion of Grove Street between Nicollet St and Island Ave East.

**Applicable zoning code provisions:** Chapter 525: Article VII Conditional Use Permits, Article IX Variances; Chapter 530 Site Plan Review.

**Background** The proposed DeLaSalle High School Athletic Field is located on Nicollet Island, which is within a National Register of Historic Places (NRHP) Historic District, a state of Minnesota historic district, and is locally designated as a historic preservation district by the City of Minneapolis. The St. Anthony Falls Historic District, and Nicollet Island are also within the boundaries of the National Park Service’s Mississippi National River Recreation Area (MNRRA). A Certificate of Appropriateness for the construction of a regulation size football field and associated lights, seating, and press box for DeLaSalle High School was denied by the Heritage Preservation Commission (HPC) on August 8, 2006. The HPC decision was appealed; on September 22, 2006, DeLaSalle High school received City Council approval for a Certificate of Appropriateness for the project. A revised proposal was denied by the HPC on March 20, 2007. That HPC decision was also appealed; on April 27, 2007 the City Council recommended approval for an amendment to the Certificate of Appropriateness for the revised project with some conditions of approval, which are attached to this report.

The proposed athletic field includes a new regulation size football field that can also be divided into smaller soccer fields. A shared use agreement allows some use of the field by the Park Board. The field would be located to the northeast of the main high school building. In addition to the field itself, the applicant is proposing new bleacher style seating, a press box, a storage building, and concession and bathroom structures which would be attached to the existing high school building. The field as proposed would be set into the ground below the site’s current grade, with the creation of a stepped up berm in which the seating would be located.

The athletic field will be oriented north- south between the existing high school building and railroad right of way and will necessitate the vacation and removal of a portion of Grove Street. Portions of the project are on DeLaSalle property, owned by the Diocese of St Paul and zoned R1A, and the remainder is on Minneapolis Park Board property, zoned R3. Both properties are also within a Shoreland Overlay (SH) and the Mississippi River Critical Area Overlay District (MR). An Athletic Facility is a conditional use in both R1A and R3 zoning districts.

As a part of the HPC application, An Environmental Assessment Worksheet (EAW) was prepared, which included a Travel Demand Management Plan (TDMP). The EAW was approved on December 23, 2005 by the City Council. Generally, the findings of fact approved by the City Council indicate that the project does not have the potential for significant environmental effects and the no EIS is required. However, the attachments to the EAW include the assertion that there is a “high potential for the [subject] area to contain archaeological resources.” As a result, the approval of the amendment to the Certificate of Appropriateness includes the requirement that archaeological testing and planning be developed and approved by the Heritage Preservation Commission prior to the issuance of construction permits.

Lights for the field will exceed 35 feet in height which requires a Conditional Use Permit in the SH, which limits height of all structures to 35 feet. Furthermore, a portion of the proposed changes are within 40 feet of the top of a steep slope, which requires another Conditional Use Permit and Variance. Finally, additional structure area exceeds 1,000 sq. ft., therefore Site Plan Review is required.

**CONDITIONAL USE PERMIT -**

**Required Findings for the Conditional Use Permit to allow an athletic field in the R1A and R3 Districts:**

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

Many schools in the City of Minneapolis have associated athletic fields in residential neighborhoods. The applicant's attention to light and noise concerns through placement, product specification, and projected measurements indicate that activities on the athletic field will not be detrimental to the public health, safety, comfort or general welfare.

- 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The use of the athletic field itself would not be injurious to the use and enjoyment of other property in the vicinity nor would it impede development. However, the associated parking and traffic changes to a small island are likely to significantly impact the use and enjoyment of other property in the vicinity. Staff finds that in light of the new shared uses proposed for the field, in addition to the existing uses on the island, including other DeLaSalle events, Nicollet Island Pavilion events, and Nicollet Island Inn events, the increase in traffic and parking needs for the island will exceed a reasonable amount often enough to injure the use and enjoyment of other property in the vicinity.

- 3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The proposed project includes the vacating of one of the roads on the Island that provide access to both the high school and the Park Board property. Access to other parts of the Island north of Hennepin Ave will also be reduced by the vacating of the east half of Grove St. Utilities and other necessary facilities for sprinklers, etc., are being provided.

- 4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The applicants have indicated that traffic patterns are sustainable and reasonable despite the vacation of half of Grove St. Public Works and Public Safety staff (police, fire) have indicated that emergency and other vehicles will not be impeded by the use and associated vacation. The Travel Demand Management Plan (TDMP) submitted by the applicant addresses the impacts of the new uses' traffic and parking demands, but not necessarily within the context of being located on a small Island that already experiences difficulty with parking demand and wayfinding. The proposed use is anticipated to require up to 250 parking spaces at peak times – a large amount of vehicles for a small island. While it is true that full capacity of the field is likely to happen only a few times a year, these events could coincide with other events on the

Island causing great traffic congestion at those times. The TDMP has not been approved by Public Works at this time.

**5. Is consistent with the applicable policies of the comprehensive plan.**

There are a plethora of applicable policies in *The Minneapolis Plan* that are both supported and compromised by the proposed development. Specific applicable policies include:

Chapter 1.2 of *The Minneapolis Plan* states: “Minneapolis will encourage both private and public development that provides gathering spaces in city neighborhoods.” One of the implementation steps of this policy is to “increase resident access to and use of facilities and meeting spaces in parks, libraries, and schools.” Because the existing Park Board property within the subject site has tennis courts that are currently shared with DeLaSalle High School, the incorporation of the DeLaSalle property to the south for a larger athletic field would allow an increase in the size of the land used by both students and the public.

Chapter 1.3 of *The Minneapolis Plan* states: “Minneapolis will encourage public institutions to coordinate their programming and facilities in order to function as neighborhood centers.” One of the implementation steps of this policy is to “expand collaborative planning for programming and facilities-sharing agreements among colleges, early childhood and K-12 schools, libraries and parks.” The reciprocal use agreement for the proposed field is clearly supporting this policy.

Chapter 1.4 of *The Minneapolis Plan* states: “Minneapolis will encourage activities that rely on coordinated programming and facilities use with community partners in the volunteer, nonprofit and private sectors.” One of the implementation steps for this policy is to “extend after-hours programming in public institutions, including parks, schools and libraries, to serve a range of family and resident needs and schedules.” The new field would allow space for Park Board soccer games and practices when DeLaSalle sports programs were not in use on the field.

Chapter 1.6 of *The Minneapolis Plan* states: “Minneapolis will promote community-based initiatives in youth programming.” One of the implementation steps for this policy is to “emphasize leisure, recreational and educational programming that offers positive, community-based experiences to youth.” The shared use of the proposed field would offer a new location for such youth experiences.

Chapter 1.7 of *The Minneapolis Plan* states: “Minneapolis will recognize and celebrate its history.” This policy includes the implementation step to “encourage new developments to retain historic structures, incorporating them into new development rather than demolishing them.” The Grove St right-of-way is considered a historic structure, and although the applicant is proposing some design elements to mitigate its demolition, Grove St. would be vacated as a public right of way to allow construction of the athletic field.

Chapter 6.1 of *The Minneapolis Plan* states: “Minneapolis will identify, protect and manage environmental resources so that they contribute to residents' experience of nature, the parks system and the city.” This policy includes the implementation step of encouraging “planting of

native vegetation on parklands and green spaces.” The proposed landscaping around the field includes native plantings and a public pathway.

Chapter 6.4 of *The Minneapolis Plan* states: “Minneapolis will make parks secure, attractive places and ensure that these facilities are accessible, enjoyable and safe.” This policy includes the following two implementation steps:

- Provide safe pedestrian crossings at streets adjacent to parks and reduce the speed of traffic and street width where possible.
- Maintain public roads and circulation systems to link parks with neighborhood surroundings and provide visual links to passing traffic.

While the site plan shows a public path surrounding the proposed field, there are no crosswalks shown where pedestrian crossings are located. Further, the integration of the path with the DeLaSalle campus could hinder the perception of the path as public. Along the south edge of the field, the path is immediately adjacent to the school building. It may not be clear or comfortable for visitors of the field in its public park capacity that the entire path is open to the public.

The vacation of Grove St. would automatically reduce circulation options on the island. Visually there are retaining walls, plantings, and the mentioned public path around the field as visual cues to passing traffic; however, to a typical visitor of the island driving past the field it appears that the most likely assumption is that the space is an accessory football field for the private high school.

Chapter 9.2 of *The Minneapolis Plan* states: “Minneapolis will continue to preserve the natural ecology and the historical features that define its unique identity in the region.” This policy includes the implementation steps to “incorporate natural features and historic sites into planning and development in order to link the city with the river,” and to “improve the aesthetics of land use along the river.” The proposed athletic field would replace the now direct access (including access for vehicles) to the river down Grove St with a pedestrian and bike path winding around the field. The area between the eastern end of Grove St and the river is now an unimproved parking lot. This lot is not in compliance with city standards and would not likely be approved for use as a parking lot. There is an opportunity in this location to better address the river which would increase the importance of Grove St. leading up to it. The plantings and decorative features around the field will certainly improve the aesthetics for users of East Island Drive; however the proposal does not adequately incorporate the historic site of Grove St and it does not improve linkage from the west and central parts of the island to the east bank of the island.

Chapter 9.16 of *The Minneapolis Plan* states: “Minneapolis will encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs.” This policy includes the implementation step to “promote the preservation and enhancement of view corridors that focus attention on natural or built features, such as the downtown skyline, landmark buildings, significant open spaces or water bodies.” The proposed athletic field would in fact block an existing view corridor down Grove St. to the river with a press box approximately 13 feet above grade at the intersection of Grove St. and

Nicollet. There is also the potential for the 70 foot tall field lights to affect views of the downtown skyline from the St. Anthony Main area.

Clearly there are policies that both support and contradict the proposed athletic field. On the balance, the proposal is not consistent with the applicable policies of the Minneapolis Plan. The use, with no reference to the site context, is something encouraged by the Plan, but the impact on the location contradicts historic preservation and traffic policies in the Plan.

In addition to policies in *The Minneapolis Plan* that are relevant to the conditional use permit for an athletic field, the Mississippi River Critical Area Plan guides development on the riverfront and is informed in part by the National Park Service policies found in the Comprehensive Management Plan for the Mississippi National River and Recreation Area (MNRRA). The Critical Plan is also referenced in Chapter 9.2 of *The Minneapolis Plan*. An implementation step for Chapter 9.2 is to “ensure that future riverfront development will be consistent with the City’s Critical Area Plan.”

The Critical Area Plan identifies Nicollet Island as a part of the Urban Diversified District and calls out the St. Anthony Falls Historic District (of which Nicollet Island is a part) as a historic landmark and cultural resource. Conformance of the Critical Area Plan with the state’s Critical Area Act and MNRRA include the purposes of preserving historic values for public use and historic resources, as well as enhancing opportunities for public outdoor recreation. The proposal for the DeLaSalle athletic field requires the vacation of a historic resource, Grove St., though it may be argued that the field will enhance opportunities for public outdoor recreation. However, the Critical Area Plan specifies that the preferred river-oriented recreation capitalize on river-oriented activities such as “biking, walking, pleasure driving, canoeing, boating, sight-seeing, historic interpretation, eating and drinking, picnicking and bird-watching.” The plan further specifies that active sports requiring delineated spaces should not be encouraged along the river’s edge (Section III G-2). Furthermore, Section III A-3 calls out those activities which have no need for river locations should not be allowed to locate or expand within the critical area. A high school football field and public soccer fields have no need for a river location, and are not necessary enough to alter historic resources called out for special protection in the Critical Area Plan.

The Critical Area Plan calls out for historic preservation in many contexts. Section III A-3 of the plan states that “the St. Anthony Falls Historic District should be preserved” and Section III D notes that the “primary concentration of historic and archaeological resources within the Mississippi River corridor in Minneapolis are within the St. Anthony Falls Historic District.” In Section III E-2 the plan notes that parks, trails, and historic interpretation are important tools for, among other things, tourism. While the new field can in some respects be considered a public park it would not encourage the sort of public uses that are often related to tourism on the island. Specifically, Section III G-1 states that “Nicollet Island should be maintained in a manner which will promote public use and enjoyment for all segments of the population, but with primary emphasis on family-oriented facilities and program opportunities.” While the athletic activities anticipated on the site are youth-oriented, they are not of a type that would frequently include family activities.

In Section III B the Critical Area Plan states that “development should respect major natural features and the character of existing nearby development.” While schools and associated uses such as fields are reasonable land uses in residential areas, the scale and historic character of the Island other uses indicate that expanding the school is not consistent with the policies of the Critical Area Plan. The proposed field does not turn its back to the river but neither does it take advantage of its location to address and connect to the river. Section III E-1 of the Critical Area Plan speaks to the visual and functional links between the river and downtown and the river and neighborhoods. As the only island in the River within City of Minneapolis boundaries and with a location adjacent to downtown, connections between the Island and the adjacent river banks offer an opportunity to maximize the natural and historic significance of the subject site.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.**

In addition to a Conditional Use Permit for the athletic facility, conditional use permits to increase the permitted height of the light poles and to develop within 40 feet of the top of a steep slope are required. A variance to develop within 40 feet of the top of a steep slope is also required, as is Site Plan Review and the Vacation of the east half of Grove St. The project was reviewed by Preliminary Development Review on May 9, 2007. Specific Development standards for athletic fields include the following:

1. The athletic field shall be at least fifty feet from the nearest property line of a residential use located in a residence or office residence district or any permitted or conditional residential use.
2. The athletic field shall be situated in such a way as to minimize the effects of lighting and noise on surrounding property
3. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred feet shall be inspected after and event for purposes of removing any litter found thereon.
- 4.

**Additional Findings for the Conditional Use Permit per the Shoreland Overlay District:**

**1. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.**

The site is over 100 feet from the River and is separated by East Island Ave. As mentioned above, the proposal includes a stormwater management plan to address best practices for minimizing erosion and sedimentation both during construction and after.

**2. Limiting the visibility of structures and other development from the protected waters.**

Other than the light poles, no part of the proposed project should be visible from the protected waters.

**3. The suitability of the protected water to safely accommodate the types, uses and numbers of watercraft that the development may generate.**

The proposed conditional use permit would have no impact on the types, uses, and numbers of watercraft that occupy the Lake.

**In addition to the conditional use standards, the city planning commission shall consider, but not be limited to, the following factors in determining the number of off-street parking spaces required:**

**(1) Documentation regarding the actual parking demand for the proposed use.**

The TDMP draft submitted by the applicant for the EAW analysis estimates a maximum capacity of 750 people at the proposed field. Consistent with zoning code calculations for many types of uses based on capacity, 30% (or 250 spaces) are projected to be needed for a capacity event. While the use has been determined to be football and soccer fields, which require only 40 spaces, the shared use of the site and the amount of seating provided indicate that certain events on the field would require the capacity parking calculation alternative rather than the set number.

**(2) The impact of the proposed use on the parking and roadway facilities in the surrounding area.**

There is a critical parking area in effect on Nicollet Island that limits parking to 2 hours between 8am and 6pm. This would not likely apply during the most attended events on the proposed field but could affect available parking during practices or Park Board events. The available on-site parking located in front of the high school is sufficient to provide parking required both for the school and the 40 spaces required by the new field use. However, any event with more than three times that capacity (120 people) could lead to a parking shortage on site. The most likely alternative is street parking, subject to the critical parking area. There is an unimproved area across East Island Ave from the proposed field that has been used for overflow parking in the past. This area is not appropriate for parking, regardless of its unimproved condition. The applicant has not offered this area as proposed parking.

Streets are sparse on the island and grade changes as inter-island streets meet the Hennepin Ave bridge can make wayfinding difficult. West Island and East Island Avenues wrap around the edge of the Island north of the Hennepin Ave Bridge, and two east-west streets connect these avenues north of Hennepin. One of these streets, Grove St, is proposed to be vacated to allow the field. This would decrease the amount of street right-of-way available despite the projected increase in vehicles that would accompany the new use.

**(3) Whether the proposed use is located near a parking area that is available to the customers, occupants, employees and guests of the proposed use.**

As mentioned before, there is parking available on site. This parking area fronts the Hennepin Ave Bridge and is separated from the proposed field by the existing school building. There is a surface parking lot on the Island south of the Hennepin Ave Bridge but there is no indication that this lot could be used for shared parking. There is also some structured and surface parking available just off the Island in the St. Anthony/Main area, however staff finds that use of these

parking options are unlikely for the events proposed for the field; the distance and cost of this parking would likely be prohibitive.

**(4) The availability of alternative forms of transportation.**

Multiple bus routes serve the Island, and bike and pedestrian access is complemented by parks on both riverbanks around the Island.

**Required Findings for the Conditional Use Permit to allow lights more than 35 ft high in the Shoreland Overlay District:**

**1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

The lights specified by the applicant are designed to focus lights on to the field and not away from the field. The applicant has supplied specifications for the lights showing projected footcandles as well below city requirements off-site and on adjacent residential areas. Public safety and comfort should not be compromised by the lights.

**2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The design of the lights focuses light energy onto the field and minimizes light spillover. Four poles are proposed at roughly the four corners of the field. Right of Ways and a railroad line separate the site from adjacent uses. Allowing taller lights should not be injurious to the use and enjoyment of the other property in the vicinity.

**3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The lights specified by the applicant will use less energy than similar products that provide the same footcandles, minimizing the electricity needed for the lights. Drainage, roads, and other utilities would not be affected by taller light poles.

**4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The applicants have indicated that traffic patterns are sustainable and reasonable despite the vacation of half of Grove St. Public Works and Public Safety staff (police, fire) have indicated that emergency and other vehicles will not be impeded by the use and associated vacation. The Travel Demand Management Plan (TDMP) submitted by the applicant addresses the impacts of the new uses' traffic and parking demands, but not necessarily within the context of being located on a small Island that already experiences difficulty with parking demand and wayfinding. The proposed use is anticipated to require up to 250 parking spaces at peak times –

a large amount of vehicles for a small island. While it is true that full capacity of the field is likely to happen only a few times a year, these events could coincide with other events on the Island causing great traffic congestion at those times. The height of the proposed lights themselves should not increase traffic congestions but the use they support may do so. The TDMP has not been approved by Public Works at this time.

**5. Is consistent with the applicable policies of the comprehensive plan.**

*The Minneapolis Plan* has policies that address safety and impact when it comes to site lighting. Specific applicable policies include:

Chapter 6.4 of *The Minneapolis Plan* states: “Minneapolis will make parks secure, attractive places and ensure that these facilities are accessible, enjoyable and safe.” This policy includes the implementation strategy to “use design features that promote safety and security when constructing or renovating park spaces.” The four lights proposed that exceed permitted height are more for the purposes of event visibility; other site lighting will allow for safe and enjoyable use of the site even if no scheduled activities are engaged.

Chapter 9.15 of *The Minneapolis Plan* states “Minneapolis will protect residential areas from the negative impact of non-residential uses by providing appropriate transitions between different land uses.” This policy includes the implementation step to “use the site plan review process to ensure that lighting and signage associated with non-residential uses do not create negative impacts for residentially zoned property.” The applicant has taken care to specify a lighting system that will minimize negative impacts on residential properties despite their increased height.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.**

In addition to a Conditional Use Permit (CUP) for the athletic facility and a CUP to increase the permitted height of the light poles, a third CUP to develop within 40 feet of the top of a steep slope is required. A variance to develop within 40 feet of the top of a steep slope is also required, as is Site Plan Review and the Vacation of the east half of Grove St. The project was reviewed by Preliminary Development Review on May 9, 2007. Specific Development standards for athletic fields include the following:

1. The athletic field shall be at least fifty feet from the nearest property line of a residential use located in a residence or office residence district or any permitted or conditional residential use.
2. The athletic field shall be situated in such a way as to minimize the effects of lighting and noise on surrounding property
3. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred feet shall be inspected after and event for purposes of removing any litter found thereon.

**In addition to the conditional use standards, the city planning commission shall consider, but not be limited to, the following factors when determining the maximum height:**

**(1) Access to light and air of surrounding properties.**

The light poles are narrow and should have no significant impact on light and air of surrounding properties.

**(2) Shadowing of residential properties or significant public spaces.**

No significant shadowing would occur because of the proposed lights.

**(3) The scale and character of surrounding uses.**

The lights would certainly be taller than other structures on the island. One exception may be utility poles along the east edge of the Island that are taller than 35 feet and are visible when driving along Main St NE near the Island (see attachment).

**(4) Preservation of views of landmark buildings, significant open spaces or water bodies.**

No significant views should be blocked by the light poles. However, it is possible that the lights, when on in the evenings, could impact the view of downtown from the St. Anthony/Main area.

**Required Findings for the Conditional Use Permit to allow development within 40 feet of a steep slope in the Shoreland Overlay District:**

**1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

On an area between DeLaSalle Dr, East Island Ave, the southeast corner of the field, and the east elevation of the existing building, the applicant is proposing a new plaza with seating and landscaping. The new plaza would be built within 40 feet of the top of a steep slope that moves down toward the intersection of DeLaSalle Dr and East Island Ave. There is an existing stone wall around the area that would remain. There is no evidence that a plaza in the proposed location would be detrimental to or endanger the public health, safety, comfort or general welfare.

**2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The use of a plaza in this location on the DeLaSalle campus would not injure the use and enjoyment of other property in the vicinity. Surrounding uses include the existing school building, the proposed field, and public rights of way.

**3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The plaza is does not require additional access roads or utilities beyond what the existing and proposed field will need. Drainage will be directed from the plaza to the north, northeast, and southeast toward existing retaining walls.

**4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The use of a plaza in this location on the DeLaSalle campus would not impact traffic congestion in the public streets.

**5. Is consistent with the applicable policies of the comprehensive plan.**

*The Minneapolis Plan* has policies that address safety and impact when it comes to developing at the top of a steep slope. Specific applicable policies include:

Chapter 7.5 of *The Minneapolis Plan* states: “Minneapolis will protect and sustain its water resources.” This policy includes the implementation steps to “encourage practices that result in either reduced overall amounts of impervious surfaces, or disconnect impervious surfaces and allow water to be slowed or detained in vegetated areas where it will do no harm to homes or property,” and to “develop and adopt a stormwater management ordinance for projects that will result in sizable land disturbance activity, with design standards for appropriate “best management practices” in order to reduce both runoff volume and contaminant loading from surface water runoff.” The proposed plaza is a small percentage of a site that allows plenty of pervious surface and vegetation and retention walls for drainage management. The proposal includes a stormwater management plan to address best practices for minimizing erosion and sedimentation both during construction and after.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit.**

In addition to a Conditional Use Permit (CUP) for the athletic facility and a CUP to increase the permitted height of the light poles, a variance to develop within 40 feet of the top of a steep slope is also required, as is Site Plan Review and the Vacation of the east half of Grove St. The project was reviewed by Preliminary Development Review on May 9, 2007.

**Additional Findings for the Conditional Use Permit per the Shoreland Overlay District:**

**1. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.**

The site is over 100 feet from the River and is separated by East Island Ave. As mentioned above, the proposal includes a stormwater management plan to address best practices for minimizing erosion and sedimentation both during construction and after.

**2. Limiting the visibility of structures and other development from the protected waters.**

The plaza, tables and chairs, and proposed fire pit are all close to grade in that location and should not be visible from the River.

**3. The suitability of the protected water to safely accommodate the types, uses and numbers of watercraft that the development may generate.**

The proposed conditional use permit would have no impact on the types, uses, and numbers of watercraft that occupy the Lake.

**VARIANCE -**

**Findings Required by the Minneapolis Zoning Code for the Variance to allow development within 40 feet of the top of a steep slope:**

**1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

A small plaza for sitting and walking amidst a school campus and public/private athletic field is a reasonable use. The plaza is located in a logical spot within the overall site.

**2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

The site's location on an island and within a historic district is certainly unique and not created by the applicant. The proposed plaza will have a lower impact than a new building and the existing retaining wall around it will not be altered.

**3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

The intent of the ordinance is to protect vulnerable areas from erosion and negative impacts on water bodies. The proposed plaza will not alter the essential character of the locality and will not negatively impact the use or enjoyment of other property in the vicinity.

**4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

The variance would have no direct effect on congestion of the public streets, the danger of fire, or public safety.

## **SITE PLAN REVIEW**

### **Findings as Required By the Minneapolis Zoning for Site Plan Review**

#### **Required Findings for Site Plan Review**

- a. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)
- b. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)

#### **Section A: Conformance with Chapter 530 of Zoning Code**

##### **BUILDING PLACEMENT AND FAÇADE:**

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.
- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
- The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
- Entrances and windows:
  - Residential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

    - a. Windows shall be vertical in proportion.
    - b. Windows shall be distributed in a more or less even manner.
  - Nonresidential uses:

Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on

each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

- a. Windows shall be vertical in proportion.
- b. Windows shall be distributed in a more or less even manner.
- c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
- d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
- e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
- f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.

Minimum window area shall be measured as indicated in section 530.120 of the zoning code.

- The form and pitch of roof lines shall be similar to surrounding buildings.
- **Parking Garages:** The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. At least thirty (30) percent of the first floor building wall that faces a public street, public sidewalk or public pathway shall be occupied by active uses, or shall be designed with architectural detail or windows, including display windows, that create visual interest.

### **Conformance:**

- The proposed addition includes two new accessory structures and an addition to the existing building. The building addition does not face the street. The press box and storage building do face the public street, but are not a part of the principal building and do not reinforce the street wall. The storage building in particular is at a much higher grade than the adjacent street (East Island Ave). The field is surrounded by existing and proposed fencing and retaining walls to reinforce the street wall along East Island Ave.
- Almost all of the existing building is further than 8 feet from the property line. All three additions are more than 8 feet from the property line, but none face the front lot line.
- Amenities between the existing and proposed buildings include landscaping, a plaza, parking, and the field itself.
- More than one principal entrance faces a public street. No new principal entrances are proposed, thus all principal entrances are existing.
- All parking is existing. One large surface parking lot is located between the school's façade and the Hennepin Ave Bridge. Two smaller surface lots are also located on or adjacent to the site; one to the rear of the existing building and one to the east of the large lot in front of the school.
- The proposed addition to the existing building creates a projection from the existing footprint. The two accessory structures proposed (press box and storage building) are small enough in size to not require features that will visually break up their size.
- The concession addition and new storage building each have blank wall conditions exceeding 25 feet in width. While staff is not recommending approval of the site plan because of the recommended denial of the conditional use permit for an athletic field, if the site plan is approved staff recommends that as a condition of approval architectural features or windows be used to prevent any blank wall conditions exceeding 25 feet in width.

- Materials proposed for the additions include brick and brick veneer to match the existing building, steel details, and glass.
- Because the new buildings proposed are accessory to the primary use of the athletic field, they are not subject to window requirements set forth in Chapter 530.
- Proposed windows on the press box are generally vertical in nature and distributed more or less in an even manner.
- Plain-face concrete block is not proposed as an exterior material for any part of the building.
- All new structures have flat roofs, as does the existing school building.

**ACCESS AND CIRCULATION:**

- **Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.**
- **Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.**
- **Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.**
- **Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.**
- **Site plans shall minimize the use of impervious surfaces.**

**Conformance:**

- Although none of the proposed additions include principal building entrances, clear and well-lighted walkways are provided throughout the site to connect the proposed use and associated buildings with the public realm.
- There are no transit shelters on the site. The nearest transit shelter is located on East Island Ave southeast of the site.
- There are no changes proposed to the existing parking provided on the site. If approved, the vacation of Grove St between Nicollet St and East Island Ave would affect movement on the site and on the Island in general. The majority of DeLaSalle parking occurs in front of the building and should not be impacted by the vacating of a portion of Grove St. Public Works and the Fire Department have determined that the proposed vacation would not negatively impact traffic and emergency services.
- All areas not needed for buildings, access, loading, or trash and recycling, will be landscaped or paved as a part of a proposed plaza.

**LANDSCAPING AND SCREENING:**

- **The composition and location of landscaped areas shall complement the scale of the development and its surroundings.**
- **Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).**
- **Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.**
- **Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:**
  - **A decorative fence.**
  - **A masonry wall.**
  - **A hedge.**
- **Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.**
- **The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.**
- **In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.**
- **All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.**
- **Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.**
- **The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.**

**Conformance:**

- The lot area (351,946sq. ft.) less the building footprint (79,289 sq. ft.) yields a net site of 272,657 sq. ft. The Code requires a minimum of 54,531 sq. ft. of landscaping, 109 trees and 545 shrubs. The total landscaping proposed by the applicant, including the field itself, which is proposed to be natural turf, is 176,131 sq. ft. This equals 65% of the net site. The proposed landscape plan includes 66 trees (33 new, 10 existing, 23 transplanted) and 185 shrubs (176 new and 9 existing), although it appears from site visits that a few additional trees and shrubs are existing on site that are not shown on the landscape plan. Although staff is not recommending approval of the site plan, mainly because of the associated recommendation of denial for the CUP for the athletic field, if the site plan is approved, staff would recommend granting alternative compliance for some number of the required trees and shrubs, as more than the required amount of required landscaping is being provided, and planting trees or shrubs in the majority of the site (the field), is impractical. However, as a condition of approval staff would recommend that the applicant provide additional trees and shrubs to better screen the parking lots in the front of the site.
- Nine feet of landscaping and screening is required between the largest of the three parking areas and public right of way. The south side of this parking area encroaches on public land, but that land is landscaped for more than 9 feet before Hennepin Ave begins and has existing trees. Staff recommends granting alternative compliance for the lack of landscaping on this side on the condition that an encroachment permit be obtained to provide screening between Hennepin Ave and the parking lot in the form of either a hedge, a fence, or both. The west side of this parking lot faces West Island Ave and provides more than 9 feet of landscaping but no screening. Staff recommends requiring screening in the form of a hedge, fence or both, be provided in this location as a condition of approval. The east side of this parking lot faces DeLaSalle Drive and provides more than 9 feet of landscaping but no screening. If, notwithstanding staff recommendation, the site plan is approved, staff recommends requiring screening in the form of a hedge, fence, or both be provided in this location as a condition of approval.
- Seven feet of landscaping and screening is required between the small southeastern parking lot. Although this parking area is across public right of way from the main site, its parking is included in the applicant's calculations for provided parking on site and is therefore subject to the landscaping and screening requirements of Chapter 530. More than 7 feet of landscaping is provided on all sides of the lot but no screening is provided. If, notwithstanding staff recommendation, the site plan is approved, staff recommends requiring screening in the form of a hedge, fence, or both be provided in these locations as a condition of approval.
- Seven feet of landscaping is required between the small parking lot behind the existing building and Grove St. Paved parking area in this location also appears to be encroaching on public right of way. No landscaping is provided between the property line and the public sidewalk. Staff recommends as a condition of approval that one parking space be removed to allow for 7 feet of landscaping and required screening between this parking area and Grove St.
- The existing loading area is located behind the existing building off the small parking lot also located there. The area is partially covered by existing building and is not visible from the public right of way for the most part.

- Many parking spaces are not within 50 feet of an on-site deciduous tree. If the site plan review is approved, staff recommends requiring additional trees around parking areas and within existing islands in the front parking lot to maximize the amount of parking spaces within 50 feet of a deciduous tree.
- Landscaping is located on the site except where buildings, walkways, parking, trash and loading facilities are utilized.

#### **ADDITIONAL STANDARDS:**

- **All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.**
- **To the extent practical, site plans shall minimize the blocking of views of important elements of the city.**
- **To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.**
- **To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.**
- **Site plans shall include crime prevention design elements as specified in section 530.260 related to:**
  - **Natural surveillance and visibility**
  - **Lighting levels**
  - **Territorial reinforcement and space delineation**
  - **Natural access control**
- **To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.**

#### **Conformance:**

- The two existing parking lots in front of the building are surrounded by curb. The rear parking lot does not have curbing between the lot and the public sidewalk. New landscaping staff is recommending as a condition of approval could be designed to receive runoff from the parking lot. Curbing is located between this parking lot and the interior of the site.
- The only proposed element that could potentially block important views is the four 70 ft high proposed light poles, which would be visible from the St. Anthony Main area looking at the downtown skyline. There are also tall utility poles on the Island and the proposed light poles are not expected to diminish views toward downtown. See conditional use findings for the height of the light poles for further staff analysis.
- The project, including the light poles, would not be expected to create excessive shadowing on public spaces or adjacent properties.
- The project would not be expected to contribute significantly to ground-level winds.
- The site design and landscape plan allows views from the public sidewalk into the site.
- Fencing and landscaping are used on the site to provide territorial reinforcement and space delineation.
- Fourteen foot high streetlamps are proposed throughout the site to light walkways.
- Grove St. has been determined to be a historic structure on the site. Vacating Grove St. has been approved by City Council via a Certificate of Appropriateness that includes mitigation features for understanding the historic alignment of the street.

**Alternative Compliance:** The Planning Commission or zoning administrator may approve alternatives to any site plan review requirement upon finding any of the following:

- The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements, transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.
- Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.
- The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.

**Conformance:** Staff is not recommending approval of the site plan and is therefore not recommending any aspects of the proposal for alternative compliance. If, notwithstanding staff recommendation, the site plan is approved, staff would support the following determinations of alternative compliance:

1. If the site plan is approved, staff would recommend alternative compliance for all required fenestration. The press box and the storage building are relatively small accessory structures and will only have active uses during a sporting event when the site will be heavily populated. The storage building will occasionally provide a location for ticket sales where doors facing the field and the school will be opened for on site sales. Double doors facing East Island Ave will be used for storage movement. The concession addition includes bathrooms, for which windows aren't practical for privacy reasons. The concession stand doors will be open for sales during events providing views to and from the public street.
2. If the site plan is approved, staff would recommend granting alternative compliance for some number of the required trees and shrubs, as more than the required amount of required landscaping is being provided and planting trees or shrubs on the majority of the site (the field) is impractical.

### **Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council**

**Zoning Code:** An athletic field is permitted in the R1A and R3 Districts with a conditional use permit.

**Off-Street Parking and Loading:** Chapter 541 of the code requires one parking space for each classroom or other room used by students and faculty as well as 1 space for each 5 students of driving age. The applicant states that 42 such rooms exist and an average of 332 students are of driving age at the school at any given time. This results in a parking requirement for the school use of 109 spaces.

The proposed athletic field is considered a recreational use by Chapter 541 of the code. Specifically, the use is for football and soccer fields, which requires 40 spaces. The combined uses thus require 149 parking spaces. 154 parking spaces are provided as well as bike racks. Even if the applicant removes one parking space on the rear parking lot to fulfill landscaping and screening requirements sufficient

spaces would be provided to meet this requirement. However, via the conditional use permit for an athletic field staff has done additional analysis of the parking needs. See the conditional use permit findings for an athletic field for additional parking analysis.

**Maximum Floor Area:** The maximum floor area ratio for a school, K-12, in the R1A and R3 districts is 0.5 for hotel uses. The additional structures proposed by the applicant would result in an FAR of 0.44.

**Building Height:** The maximum building height requirement in the Shoreland Overlay District is 2.5 stories or 35 feet, whichever is greater. No portions of the proposed additions exceed this limit except for the light poles. See CUP findings for further analysis.

**Minimum Lot Area:** The minimum lot area for schools, K-12 in residential districts is 20,000 sq. ft. The lot area for this site is 351,946 sq. ft.

**Dwelling Units per Acre:** Not applicable.

**Yard Requirements:** Some portions of the existing building exceed the 20 foot front yard setback facing Grove St and West Island Ave, and that portion of Eastman Ave that is public right of way. No portions of the proposed additions are in required yards.

**Specific Development Standards:** Specific Development Standards for an athletic field include the following:

- (1) The athletic field shall be at least fifty (50) feet from the nearest property line of a residential use located in a residence or office residence district or any permitted or conditional residential use.
- (2) The athletic field shall be situated in such a way as to minimize the effects of lighting and noise on surrounding property.
- (3) The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within one hundred (100) feet shall be inspected after an event for purposes of removing any litter found thereon.

Specific Development Standards for a school, grades K-12, include the following:

- (1) The use shall include a regular course of study accredited by the State of Minnesota.
- (2) To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the surroundings, and exterior building materials shall be harmonious with other buildings in the neighborhood.
- (3) An appropriate transition area between the facility and adjacent property shall be provided by landscaping, screening and other site improvements consistent with the character of the neighborhood.

**Hours of Operation:** Requirements for hours open to the public for a school use in a residential district are as follows: Sunday through Thursday, 7am to 10pm, Friday and Saturday, from 7am to 11pm. Noise ordinance requirements become stricter after 10pm; the school and Park Board are encouraged to consider this when scheduling activities that could exceed permitted daytime noise standards.

**Signs:** No new signs are proposed at this time. Any signs will require a signage permit and must comply with the requirements of Chapter 543.

**Refuse storage:** All storage of refuse and recyclable materials will be located and accessed in an existing loading area located to the rear of the building.

**Lighting:** All lighting must be in compliance with must comply with Chapter 535 and Chapter 541 of the zoning code. See CUP findings for light poles exceeding permitted height for more details about lighting on the site.

Chapter 535.590 (c) (2) excepts specific lighting standards for athletic fields serving or operated by an institutional or public use that otherwise meet all requirements of the zoning code between the hours of 7am and 10pm. However, outside of those hours, the following specific standards apply:

1. Lighting fixtures shall be effectively arranged so as not to directly or indirectly cause illumination or glare in excess of one-half ( 1/2) footcandle measured at the closest property line of any permitted or conditional residential use, and five (5) footcandles measured at the street curb line or nonresidential property line nearest the light source.
2. Lighting fixtures shall not exceed two thousand (2,000) lumens (equivalent to a one hundred fifty (150) watt incandescent bulb) unless of a cutoff type that shields the light source from an observer at the closest property line of any permitted or conditional residential use.
3. Lighting shall not create a sensation of brightness that is substantially greater than ambient lighting conditions as to cause annoyance, discomfort or decreased visual performance or visibility to a person of normal sensitivities when viewed from any permitted or conditional residential use.
4. Lighting shall not create a hazard for vehicular or pedestrian traffic.
5. Lighting of building facades or roofs shall be located, aimed and shielded so that light is directed only onto the facade or roof.

**Minneapolis Plan:** See CUP findings.

## **STREET VACATION**

**Development Plan:** The applicant intends to use the vacated Grove St to link the two properties on either side, allowing the construction of a regulation size football field. See site plan drawings for a complete development plan.

**Responses from Utilities and Affected Property Owners:** On January 17, 2006, staff received a letter from Public Works in support of the vacation. Of the other responses received, there were no objections and two easement requested from Comcast and Qwest. Comcast has requested that an easement be reserved for an underground cable line running underneath Grove St. Qwest has a buried cable on Grove St. that feeds the residential property at 29 Grove St.

**Findings:** The Grove St. vacation was applied for in 2006. Public Works is in support of the vacation and Public Safety and Fire do not anticipate the vacation would impair their ability to access property on the Island with emergency vehicles. The street has existed as public right of way for over 140 years and provides the only east-west access across the Island north of Hennepin Ave Bridge and south of the residential area. The street was most recently repaved in 1996 with brick pavers.

The Travel Demand Management Plan (TDMP) for the proposal shows that the portion of Grove St proposed for vacation has higher traffic counts than any other interior street on the Island north of Hennepin Ave. The TDMP asserts that traffic levels on the residential neighborhood streets would increase from 300 vehicles per day to only 400 vehicles per day. This conclusion, however, is based on the paving and improving of a new parking lot just east of where Grove St. meets East Island Ave. This parking lot is no longer a part of the development proposal for the facility. This leaves, according to the TDMP, 500 additional vehicles traveling north on East Island Drive past a vacated Grove St to seek streets and parking during events.

The TDMP also explores daily traffic levels and compares them to event capacity levels, arguing that the levels would remain reasonable for an urban area. However, the report does not examine other event traffic and parking that occurs regularly on the Island, and the cumulative effects such events have on the Island. Nicollet Island Pavillion is a public park property that can be rented for special events. The Nicollet Island Inn is a popular hotel with a restaurant. Furthermore, the impact of traffic increases is greater when the surrounding area is an island and not connected to a larger street grid. Even slight increases in traffic and parking levels can have a significant affect when the area is small and ingress and egress are limited.

In addition to applicable policies from *The Minneapolis Plan* examined for findings for the Conditional Use Permits and Site Plan Review, *The Minneapolis Plan* has policies that are relevant to the findings for the proposed Vacation. Chapter 8.1 of *The Minneapolis Plan* states: “Minneapolis will maintain and enhance the elements of a responsive transportation system through balancing the interests of economic development and neighborhood livability.” One of the implementation steps for this policy includes maintaining “the continuity of the dense grid of city streets to prevent substantial traffic increases on a small number of residential streets.” This policy addresses the fact that reducing or interrupting the street grid puts more traffic and parking burden on adjacent streets. Vacating Grove St would interrupt the street grid on the island, where it is one of only two east-west public rights of way north of Hennepin Ave.

Chapter 9.4 of *The Minneapolis Plan* states: “Minneapolis will promote preservation as a tool for economic development and community revitalization.” The following implementation steps are included in support of this policy:

- Identify, designate and protect sites, buildings and districts in the city with historic or architectural significance.
- Protect designated structures, sites and districts from demolition, neglect or inappropriate modifications.
- Develop creative economic incentives in the public and private sector to promote the rehabilitation, maintenance and reuse of the city's historic resources.

The site has been identified by multiple jurisdictions as a historic resource. Despite the applicant’s incorporation of design elements to recall the orientation and historic presence of Grove St., the athletic field would nevertheless demolish a historic resource. City policies support the maintenance and reuse of historic resource, not simply their mitigation.

Finally, Chapter 9.13 of *The Minneapolis Plan* states: “Minneapolis will restore and maintain the traditional street grid.” This policy includes the implementation step to “maintain the street grid as the preferred option while evaluating new development of potential street changes.” Grove St does not connect to the street grid of the rest of the city directly, but it does function as a part of the street grid on the island. Although the size of the island is such that vehicles would not have to drive much farther if they could no longer utilize the east half of Grove St, it is the island’s small size that increases the impact of such a change.

### **RECOMMENDATIONS:**

#### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit to allow an athletic field in the R1A and R3 Districts:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the application for a conditional use permit to allow an athletic field in the R1A and R3 Districts at 25 West Island Ave and 201 Island Ave East.

#### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit to allow lights higher than 35 feet in the Shoreland Overlay Districts:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the application for a conditional use permit to allow lights higher than 35 feet in the Shoreland Overlay District at 25 West Island Ave and 201 Island Ave East.

#### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit to allow development within 40 feet of the top of a steep slope in the Shoreland Overlay District:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a conditional use permit to allow development within 40 feet of the top of a steep slope in the Shoreland Overlay District at 25 West Island Ave and 201 Island Ave East.

#### **Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to allow development within 40 feet of the top of a steep slope in the Shoreland Overlay District:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to allow development within 40 feet of the top of a steep slope in the Shoreland Overlay District at 25 West Island Ave and 201 Island Ave East.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for a site plan review:**

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **deny** the application for a site plan review at 25 West Island Ave and 201 Island Ave East.

**Recommendation of the Department of Community Planning and Economic Development—Planning Division for the Street Vacation:**

The Department of Community Planning and Economic Development—Planning Division recommends that the City Planning Commission and the City Council accept the above findings and **deny** the vacation.

**Attachments:**

1. Statement of use
2. Findings
3. Correspondence
4. PDR Comments
5. City Council EAW Findings of Fact
6. Reciprocal Use Agreement
7. Travel Demand Management Plan draft
8. Site plans, Elevations, Floor plans, and Zoning map
9. Vacation Maps
10. Photos