

Department of Community Planning and Economic Development – Planning Division
Conditional Use Permit
BZZ-5352

Date: October 31, 2011

Applicant: Minneapolis Park and Recreation Board

Address of Property: 404 and 420 15th Avenue South, 1417 5th Street South

Project Name: Currie Park Athletic Field Lighting Improvements

Contact Person and Phone: Jay Pomeroy, Anderson-Johnson Associates, (763) 544-7129

Planning Staff and Phone: Robert Clarksen, (612) 673-5877

Date Application Deemed Complete: September 30, 2011

End of 60-Day Decision Period: November 28, 2011

Ward: 2 Neighborhood Organization: Cedar Riverside

Existing Zoning: OR2, High Density Office Residence District

Proposed Zoning: Not applicable for this application

Zoning Plate Number: 21

Legal Description: See Attachment

Proposed Use: Install 4 light poles as part of improvements to existing soccer field.

Conditional use permit: to increase the maximum height a principal structure from 35 feet to 50 feet to add 4 light poles at Currie Park at 404 and 420 15th Avenue South, and 1417 5th Street South in the OR2 High Density Office Residential district.

Applicable zoning code provisions: Chapter 525, Article VII, Conditional Use Permits.

Background: The Minneapolis Park and Recreation Board (MPRB) is in the process of upgrading the facilities at Currie Park in the Cedar Riverside neighborhood. The existing soccer field on the property has been converted from a grass to “field turf” surface, and the proposed lighting improvements would complete the updates to the site. The Conditional Use Permit application is in regard to the proposed installation of four light poles around the perimeter of the soccer pitch in the existing park facility. The subject property is located in the OR2, High Density Office Residential District. In the OR2 district, principal structures (such as the proposed light poles) are subject to a maximum height requirement of 35 feet:

535.110. Light poles and flag poles. (a) Light poles. Light poles accessory to single or two-family dwellings and cluster developments and multiple-family dwellings of three (3) or four (4) units shall be limited to eight (8) feet in height. Light poles accessory to all other uses shall be limited to thirty-five (35) feet in height, except that light poles designed or intended to illuminate walkways shall be limited to fifteen (15) feet in height.

As the proposed light poles exceed the 35 foot requirement in the zoning code, a conditional use permit is required.

CONDITIONAL USE PERMIT - to increase the maximum height a principal structure from 35 feet to 50 feet to add four light poles at Currie Park, 404 and 420 15th Avenue South, and 1417 5th Street South in the OR2 High Density Office Residential district.

Findings as Required by the Minneapolis Zoning Code:

The Community Planning and Economic Development Department – Planning Division has analyzed the application and concluded the following findings of fact:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The Planning Division believes the proposed height of the light poles as increased from the maximum 35 feet to 50 feet would not be detrimental to health safety, comfort or general welfare. The subject property is an existing public park tucked between the Interstate 35W trench, the Riverside Plaza apartment complex, and the Hiawatha Light Rail line. The light poles will be installed around the existing soccer pitch on the site, providing enhanced illumination of athletic events occurring in the park. MPRB is aware of the general performance standards for lighting in Ch. 535.590 of the zoning code. The applicant has provided a lighting plan indicating the project will comply with these regulations.

2. The conditional use 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 Planning Division does not believe that increasing the height of the light poles from 35 feet to 50 feet would be injurious to the use and enjoyment of other property in the area. The proposed improvements to the facilities at Currie Park are consistent with the development of the surrounding area, which contains a mixture of residential, cultural, and public/institutional uses. The subject property is an existing public park tucked between the Interstate 35W trench, the Riverside Plaza apartment complex, and the Hiawatha Light Rail line. The light poles will be installed around the existing soccer pitch on the site, providing enhanced illumination of athletic events occurring in the park. CPED staff believes the residential uses nearest to the park are located far enough from the proposed light poles that the alterations to the site are unlikely to pose any adverse impacts upon these properties. The applicant has provided a lighting plan that indicates the proposed lighting will comply with chapter 535.590 of the zoning code.

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

Increasing the height of the light poles will have no impact on utilities, access roads or drainage.

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

Increasing the height of the light poles will have no impact on traffic congestion in the public streets.

5. The conditional use is consistent with the applicable policies of the comprehensive plan.

The Planning Division believes that the proposed development is consistent with the following policies of *The Minneapolis Plan for Sustainable Growth*:

- Promote the physical and mental health of residents and visitors by recognizing that safe outdoor amenities and spaces support exercise, play, relaxation and socializing (Policy 7.1).
- Ensure that all site lighting requirements and directional signs have appropriate illumination levels to comply with zoning and industry illumination standards (Implementation Step for Policy 10.17).

6. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Chapter 535.590 of the zoning code requires that no use or structure shall be operated as to create light or glare to such a degree or intensity as to constitute a hazardous condition, or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities, or otherwise as to create a public nuisance. The applicant has provided a lighting plan that indicates the proposed lighting will comply with the regulations of the zoning code.

Additional Findings Required:

In addition to the conditional use permit standards, the 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.

Increasing the height of the light poles to 50 feet will not have any negative impact on the amount of light and air surrounding properties may receive. The applicant will construct and operate the proposed lighting consistent with the general performance standards of the zoning code, and in accordance with chapter 535.590 specifically. Furthermore, due to their unique requirements for nighttime visibility and limited hours of operation, outdoor recreation facilities which meet the general requirements of the zoning code are exempt from the specific lighting requirements of chapter 535.590 between the hours of 7 a.m. and 10 p.m. during events.

2. Shadowing of residential properties or significant public spaces, or existing solar energy systems.

The Planning Division does not believe that increasing the height of the light poles to 50 feet will cause significant shadowing on surrounding residential properties or any significant public spaces. Additionally, the proposed poles will not shadow any existing solar energy systems.”

3. The scale and character of surrounding uses.

The height of the proposed light poles is consistent with the nature of lighting equipment found at other similarly sized athletic fields in the City. The uses of property in the immediate neighborhood consist of a mix of mid to high rise residential development, cultural and institutional uses such as the Mixed Blood Theater, and transportation corridors such as the Interstate Highway 35W trench and the Hiawatha Light Rail right of way. The proposed light poles lack bulk, and are therefore unlikely to cast significant shadows beyond the subject property. CPED staff believes the proposed improvements are consistent with the scale and character of the structures and land uses within the surrounding area.

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

The Planning Division does not believe that increasing the height of the light poles to 50 feet will significantly impede views of landmark buildings in the area. The subject site is approximately 300 feet from the Riverside Plaza apartment complex, a federally designated historic structure. The proposed light poles would be visible as one views the downtown skyline from certain public vantage points in the immediate area. However, the slender poles will not result in substantial blocking of views.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the conditional use permit:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the conditional use permit application to increase the maximum height a principal structure from 35 feet to 50 feet to add 4 light poles at Currie Park at 404 and 420 15th Avenue South, and 1417 5th Street South in the OR2 High Density Office Residential district, subject to the following conditions:

1. The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

Attachments:

1. Letter from Bruce Chamberlain dated August 31, 2011, which contains:
 - A statement of proposed use for the project,

Department of Community Planning and Economic Development – Planning Division
BZZ-5351

- Provides notification to Council Member Cam Gordon (Ward 2),
 - Provides notification to Ali Warsame, of the West Bank Community Development Coalition.
2. Letter from Jay Pomeroy (9/30/11) addressing the required findings for a Conditional Use Permit
 3. Zoning Map
 4. Site plan
 5. Chapter 535.590 – General lighting requirement.
 6. Photometric plan
 7. Legal descriptions for parcels within site
 8. Aerial photo of the site
 9. Elevation plan of the proposed light poles
 10. Photographs of the site and surrounding area