



July 16, 2012

Hyder Aziz, Director
Al Farooq Youth and Family Center (AFYFC)
8201 Park Ave. S.
Bloomington, MN 55420

RE: Use of Recreational Field and Facilities

Dear Mr. Aziz:

It has come to our attention that AFYFC has recently made available the football field at 8201 Park Avenue South to semi-professional football teams for games and practices. Staff verified that a semi-professional game between the St. Paul Pioneers and the Minnesota Spartans took place on site on Saturday, June 23, 2012.

Regular use by semi-professional football teams for games and practices is in violation of the City Code as it is not accessory to the approved uses on site. On May 2, 2011, the Bloomington City Council approved the following uses via a Conditional Use Permit: a private school, a day care center, a place of assembly and a community center. The recreational field and facilities have received no use approvals themselves. As such, the field and facilities may only be used in a manner that is accessory to the approved private school, day care center, place of assembly and community center. Section 19.03 of the City Code defines an accessory use as:

A subordinate use which is clearly and customarily incidental to the principal use of a building or premises and which is located on the same lot as the principal building or use.

Regular use of the fields by a semi-professional football team is not accessory to the approved uses on-site, because (1) the football teams appear not to be affiliated with the community center, (2) the games have participants and spectators with no apparent relationship with the community center and (3) in so far as the field is jointly used with the City of Bloomington, the football teams appear to have no affiliation with City of Bloomington programs, community athletic organization programs or Bloomington resident usage. As such, the games and practices generate traffic, parking demand and activity beyond what was anticipated with the conditional use permit approvals.

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Should AFYFC desire to expand use of the field from its status as accessory to other uses on site to a status as a commercial park or field, the City Code requires issuance of a conditional use permit. As with any conditional use, please be aware that you would need to meet all applicable regulations for the additional use, including but not limited to additional parking and accessibility improvements. Prior to granting approval for any additional use, the City Council would have to find that the proposal is not in conflict with the Comprehensive Plan and would not be injurious to the surrounding neighborhood.

Should AFYFC desire to use the fields or courts for an occasional special event, a City of Bloomington review process exists for such special events. City staff reviews special event proposals for health and safety concerns, as well as for code compliance, traffic flow, and parking provisions. Such special events approvals are meant for occasional events and do not address regular activities, which require appropriate use approvals.

On a related note, staff has also heard that AFYFC may be considering installing artificial turf on the field and enclosing it with an inflatable dome. These changes would require amendments to the joint field use agreements between AFYFC and the City. Even if such a dome were used in a manner accessory to the community center, it would need to meet all City code requirements and obtain appropriate zoning approvals. If such a dome were used for non-accessory uses, it would also require the conditional use permit discussed above.

Given that no approvals for non-accessory use of the field or recreational facilities have been granted, activities at the AFYFC field and recreational facilities must be limited to those that are accessory to the approved uses on site. Please contact Glen Markegard, Planning Manager, at (952) 563-8923 to discuss any questions you have related to this letter.

Sincerely,



Mark Bernhardson
City Manager

cc: Mayor and city council
Community Development Director
Planning Manager
Community Services Director
Parks and Recreation Director