



CPED STAFF REPORT
Prepared for the Board of Adjustment

BOA Agenda Item #1
August 21, 2014
BZZ-6700

LAND USE APPLICATION SUMMARY

Property Location: 1313 5th Street Northeast
Project Name: The Marshall Sign
Prepared By: [Shanna Sether](#), Senior City Planner, (612) 673-2307
Applicant: Carol Lansing
Project Contact: Carol Lansing
Request: To allow for a new wall sign.
Required Applications:

Variance	To allow for a new wall sign located on a non-primary building wall.
Variance	To increase the maximum height of a wall sign from 28 feet to approximately 75 feet.
Variance	To increase the maximum area of a wall sign from 0 square feet to approximately 113 square feet.

SITE DATA

Existing Zoning	C2 Neighborhood Corridor Commercial District PO Pedestrian Oriented Overlay District UA University Area Overlay District
Lot Area	159,386 square feet / 3.66 acres
Ward(s)	3
Neighborhood(s)	Marcy-Holmes Neighborhood Association
Designated Future Land Use	Mixed-Use
Land Use Features	Activity Center
Small Area Plan(s)	Marcy-Holmes Neighborhood Master Plan and Dinkytown Business District Plan (draft)

Date Application Deemed Complete	July 21, 2014	Date Extension Letter Sent	Not applicable
End of 60-Day Decision Period	September 19, 2014	End of 120-Day Decision Period	Not applicable

BACKGROUND

SITE DESCRIPTION AND PRESENT USE. The subject property is approximately 3.7 acres and is located on the east half of the block bounded by 5th Street SE, 14th Avenue SE, 6th Street SE and 12th Avenue SE. The site was formerly occupied by UTEC, a multiple tenant building in the former John Marshall High School, and a large surface parking lot. On August 27, 2012, several land use applications were approved to allow for a new 4-7 story, mixed-use, planned unit development with 317 dwelling units, approximately 47,190 square feet of ground floor commercial space, 23 parking spaces at grade level and 426 underground parking spaces. The development is nearing completion.

SURROUNDING PROPERTIES AND NEIGHBORHOOD. The surrounding properties include several mixed use commercial-residential buildings, multiple-family dwellings and low-density residential uses. The property is located in the Dinkytown Activity Center.

PROJECT DESCRIPTION. The applicants are proposing a new wall sign identifying the building; the sign copy will read “The Marshall” and be located on a bump-out along 14th Avenue SE, facing 5th Street SE. The proposed sign will be 113 square feet in area and 75 feet, from the ground to the top of the sign. The sign is perpendicular to 14th Avenue SE, the primary building wall, but is not located on the primary building wall. Signage is prohibited on a non-primary building wall and the applicant is seeking a variance to allow for the proposed location. Further, the maximum height of a wall sign in the C2 Neighborhood Corridor Commercial District is 28 feet; the proposed sign is approximately 75 feet and requires a variance. Finally, sign area is allocated per primary building wall; because the sign is not located on a primary building wall, the maximum area is 0 square feet. Therefore, the applicant is seeking a variance to increase the maximum area of the proposed wall sign from 0 square feet to 113 square feet.

PUBLIC COMMENTS. Staff has not received correspondence regarding the requested sign variance. Any correspondence received prior to the public meeting will be forwarded on to the Board of Adjustment for consideration.

ANALYSIS

VARIANCE

The Department of Community Planning and Economic Development has analyzed the application for a variance to allow for a sign on a non-primary building wall; a variance to increase the maximum height of a wall sign; a variance increase the maximum area of a new building identification wall sign based on the following [findings](#):

- I. *Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.*

All variances: The circumstances of the variances for the proposed building identification wall sign are unique to the parcel given the size of the property, the height of structure and the permitted sign area, based on the length of the primary building wall. These circumstances have not been created by the applicant. The subject property is approximately 3.7 acres and the property owner is seeking approvals to allow for a sign that identifies The Marshall, the residential use within the mixed-use building. The building has primary building walls on three sides of the property, including

5th Street SE; the proposed bump-out is too far from the 5th Street SE façade to consider it part of the primary building wall. The building is currently under construction and is between 4 and 7 stories in height and is located within the Dinkytown Activity Center. The primary building wall facing 14th Avenue SE would permit up to 404.5 square feet of signage and the primary building wall facing 5th Street SE would allow over 770 square feet of wall signage.

2. *The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

All variances: The applicant is seeking variances to allow for a new wall sign 113 square feet in area and 75 feet tall, facing 5th Street SE. The zoning code regulations governing on-premise signs were established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property and to protect the public health safety and welfare. Staff finds that the proposed sign is appropriate to the planned character of the property and will allow for effective signage without leading to visual clutter. The proposed sign is intended to identify the residential use in the mixed-use building and not the individual commercial tenants in the building. Staff finds that the proposed sign is consistent with the purpose and intent of the zoning code and City policies.

3. *The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.*

All variances: The proposed signage will not alter the essential character or be injurious to the use or enjoyment of property in the vicinity. The applicant is proposing to locate a new wall sign to identify the building, 113 square feet in area, 75 feet in height, for a property that is approximately 3.7 acres and a building that is 7-stories tall, in this location. The surrounding properties include several mixed-use buildings and multiple-family dwellings. The property located on the east half of the block bounded by 5th Street SE, 14th Avenue SE, 6th Street SE and 12th Avenue SE. The sign will face 5th Street SE. Staff finds that the proposed sign will not be detrimental to public health, safety, comfort or general welfare.

In addition to the variance standards contained in Chapter 525 and this article, the Board of Adjustment shall consider, but not be limited to, the following factors when determining sign variances or conditional use permits:

1. **The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.**

All variances: The applicant is seeking a variance for one wall sign to be located on a non-primary building wall, 75 feet in height and 113 square feet in area. The zoning code regulations governing on-premise signs were established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property and to protect the

public health safety and welfare. Staff finds that the proposed sign is appropriate to the planned character of the property and will allow for effective signage without leading to visual clutter. The proposed sign is intended to identify the building and not the individual commercial tenants in the building. Staff finds that the proposed sign is consistent with the purpose and intent of the zoning code and City policies.

- 2. The sign adjustment will allow a sign that relates in size shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.**

All variances: Staff finds that the sign will relate in size, shape, material, color, illumination and character of the buildings and the property. The sign will be painted black letters on a pre-finished white metal raceway and internally illuminated with LED. Staff finds that the sign will be professionally installed with quality materials.

RECOMMENDATIONS

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt the above findings and **approve** the application for a variance to allow for a new wall sign not located on a primary building wall located at 1313 5th Street SE in the C2 Neighborhood Corridor Commercial District, PO Pedestrian Oriented Overlay District and UA University Area Overlay District, subject to the following condition of approval:

- I. Approval of the sign permit by the Department of Community Planning and Economic Development.

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt the above findings and **approve** the application for a variance to increase the maximum height from 28 feet to approximately 75 feet to allow for a new wall sign located at 1313 5th Street SE in the C2 Neighborhood Corridor Commercial District, PO Pedestrian Oriented Overlay District and UA University Area Overlay District, subject to the following condition of approval:

- I. Approval of the sign permit by the Department of Community Planning and Economic Development.

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the Board of Adjustment adopt the above findings and **approve** the application for a variance to increase the maximum sign area from 0 feet to approximately 113 square feet to allow for a new wall sign located at 1313 5th Street SE in the C2 Neighborhood Corridor Commercial District, PO Pedestrian Oriented Overlay District and UA University Area Overlay District, subject to the following condition of approval:

1. Approval of the sign permit by the Department of Community Planning and Economic Development.

ATTACHMENTS

1. Written description and findings submitted by applicant
2. Zoning map
3. Site plan
4. Site survey
5. Sign plans
6. Building elevations
7. Photos
8. Correspondence

THE MARSHALL

STATEMENT OF PURPOSE AND DESCRIPTION OF PROJECT FOR SIGN VARIANCES

July 17, 2014

PROJECT DESCRIPTION

The Marshall is a mixed-use redevelopment nearing completion on the former site of the John Marshall High School. It is located on the east half of the block bounded by 5th Street SE, 14th Avenue SE, 6th Street SE and 12th Avenue SE. The majority of the 3.7-acre site is occupied by a networked series of 4, 6 and 7 –story apartment buildings containing 317 units in a mix of sizes and styles. The main entry and lobby for the apartment complex is from a courtyard that opens to 14th Avenue SE near 6th Street SE. Ground-level retail space fronts along 14th Avenue SE from the apartment lobby south to 5th Street SE and then west for most of the 5th Street SE frontage. A new format “Target Express” store occupies an approximately 20,000 SF space at the corner of 14th and 5th. Small retail tenants are being sought for spaces east and north of the Target Express store.

This application seeks variances for a sign for the apartment component of the development. Retail tenants are individually responsible for obtaining sign permits for their signs. Target Express has already obtained permits for and installed signs at the corner of 14th Avenue and 5th Street.

The proposed sign will be the primary identification sign for the residential use. Other apartment signage has not yet been specifically designed, but is expected to be small, wayfinding and informational in nature (e.g. parking entry, building hours, lobby door appliques). The proposed identification sign is a wall sign to be mounted to a south-facing edge of a bump out section of the east elevation of the apartment building along 14th Avenue. The bump out begins on the 3rd floor of the building and the residential lobby entrance is recessed beneath it. The proposed location for the sign was selected because it signals the mid-block location of the residential lobby and because it faces south toward campus and the center of Dinkytown at 14th Avenue and 4th Street so it will be visible from where most of the foot traffic to the building will come.

Although the building has “primary building walls” on both 14th Avenue and 5th Street and the south side of the bump out faces 5th Street, it does not technically qualify as a primary building wall, so a location variance is required to allow it to be installed on the south-facing edge of the bump out.

A variance is also required to allow the top of the sign to be 74.75 feet above grade level. The bottom of the bump out is 23 feet above grade and the width of signage that can be placed on the south face of the bump out is limited to 3 feet because of vents located on the inside edge of the south face. Thus, a sign on the bump out that complied with the general 28-foot height limit would be limited to 15 SF in area. The proposed sign is 3-foot wide and 37.5 feet in length. It

will be 112.5 SF in area, which is much less than the 180 SF of sign area per sign allowed in the C2 District.

The sign design calls for channel letters and logo mounted on an aluminum raceway. The 5-inch deep raceway will be 3-feet wide by 37.5-feet tall, painted silver to resemble the color and design of metal panel decoration on the building. 5-inch deep channel letters of 12” or 30” in width reading “The Marshall” will be vertically arrayed down from the top of the sign. At the bottom of the sign will be The Marshall’s 6-color, rectangular logo. The channel letters will be aluminum with acrylic faces, treated so that they appear black during the day and white at night. The letters and logo will be internally illuminated by LED. The sign will be securely mounted to the wood framing of the building.

VARIANCE FINDINGS

(1) Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

Practical difficulties in complying with the location and height for wall signs arise because of the very large size of the development site, the mixed-use nature of project, the relationship and orientation of the building to campus, and the architectural design of the building. The proposed sign is proportional in size and height to the 317-unit, 7-story, block-sized apartment complex. It will be the only identification sign for The Marshall apartments and needs to be of sufficient size and visibility to identify the building and residential entrance. The sign is properly oriented facing south toward Dinkytown and campus and away from the residential districts to the east and north. A wall sign could be located on the 5th Street facade without a location variance, but it would not be placed in relation to the main residential entry. There are also no locations on the 5th Street facade for a sign that would not interfere with windows for the apartments or conflict with signage for the retail uses. A projecting sign attached to the 14th Avenue facade that faced south would not require variances, but projecting signs are limited in area to 20 SF and visibility of a projecting sign attached near the recessed lobby entrance would be blocked by the ground-floor retail portion of the building, which is 23 feet high and is built out to the property line. These circumstances are unique to the property and were not created by the applicant.

(2) The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

The purposes of the zoning code regulations governing on-premise signs are “to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property and to protect the public health safety and welfare.”

The *Minneapolis Plan for Sustainable Growth* contains the following guidance regarding signs:

Sign design needs to balance the desire to convey information with a need to maintain visual aesthetics so that signage is not intrusive. The scale of signage should be geared towards the pedestrian and less to the automobile. Unique signage that incorporates unusual materials or designs is encouraged.

Policy 10.20: Promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage.

The location and height of the proposed sign is consistent with the purpose of the sign ordinances and guidance of the comprehensive plan. The proposed sign will effectively identify the apartment component of this large, mixed-use development located in a C2 District. The proposed location minimizes sign clutter because it is separated from the retail signage on the building. Other locations for the apartment signage would conflict with the retail signage and cause confusion regarding the location of the residential entry. The sign will be oriented toward and visible to pedestrians in the Dinkytown commercial center and will not be visible from the residential districts and uses to the east and north of the building. The sign area is much less than allowed for wall signs in the C2 District and the height of the sign will be mitigated by the unique design which blends with the architectural design and materials of the building. Granting the requested variances is in keeping with the spirit and intent of the ordinance and the comprehensive plan.

(3) The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

The Marshall mixed-use development will strengthen the Dinkytown commercial center by increasing both population density and the range and diversity of retail uses in the area. The proposed sign will not alter the essential character of the area or be injurious to the use or enjoyment of other property in the vicinity. The sign will be professionally installed in compliance with building code regulations and will not be detrimental to health, safety or welfare.

SIGN ADJUSTMENT CRITERIA

(1) The sign adjustment will not significantly increase or lead to sign clutter in the area or result in a sign that is inconsistent with the purpose of the zoning district in which the property is located.

The purpose of the C2 Neighborhood Corridor Commercial District is to provide an environment of retail sales and commercial services that are larger in scale than allowed in the C1 District and to allow residential uses, institutional and public uses, parking facilities, limited production and processing and public services and utilities. The proposed sign for the residential component of The Marshall mixed-use development is consistent with the purpose and character of the C2

District. The proposed location reduces sign clutter and conflict with signage for the retail component of the development. It will be the only identification sign for the very large apartment complex.

(2) The sign adjustment will allow a sign that relates in size, shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.

The size, shape and height of the proposed sign are in scale with the building. The color and design of the sign relates to the architectural design and colors of the building. The channel letters will be internally illuminated by LED.

The Marshall

Existing Sign Data

July 17, 2014

Apartment and retail signage will be located on the 14th Avenue SE and 5th Street SE facades.

Existing Target sign data obtained from online City Property Information records.

14th Avenue SE

Facade length: 269.67 feet (see Site Plan A010)

Allowed sign area (1.5 SF per linear foot): 404.5 SF

Existing signs:

“(Target logo) express” 117 SF (wall sign)

Available sign area: 287.5 SF

5th Street SE

Facade length: 515.5 feet (see Site Plan A010)

Allowed sign area (1.5 SF per linear foot): 773.25 SF

Existing signs:

“(Target logo) express” 129 SF (wall sign)

“pharmacy” 15.3 SF (wall sign)

Total: 144.3 SF

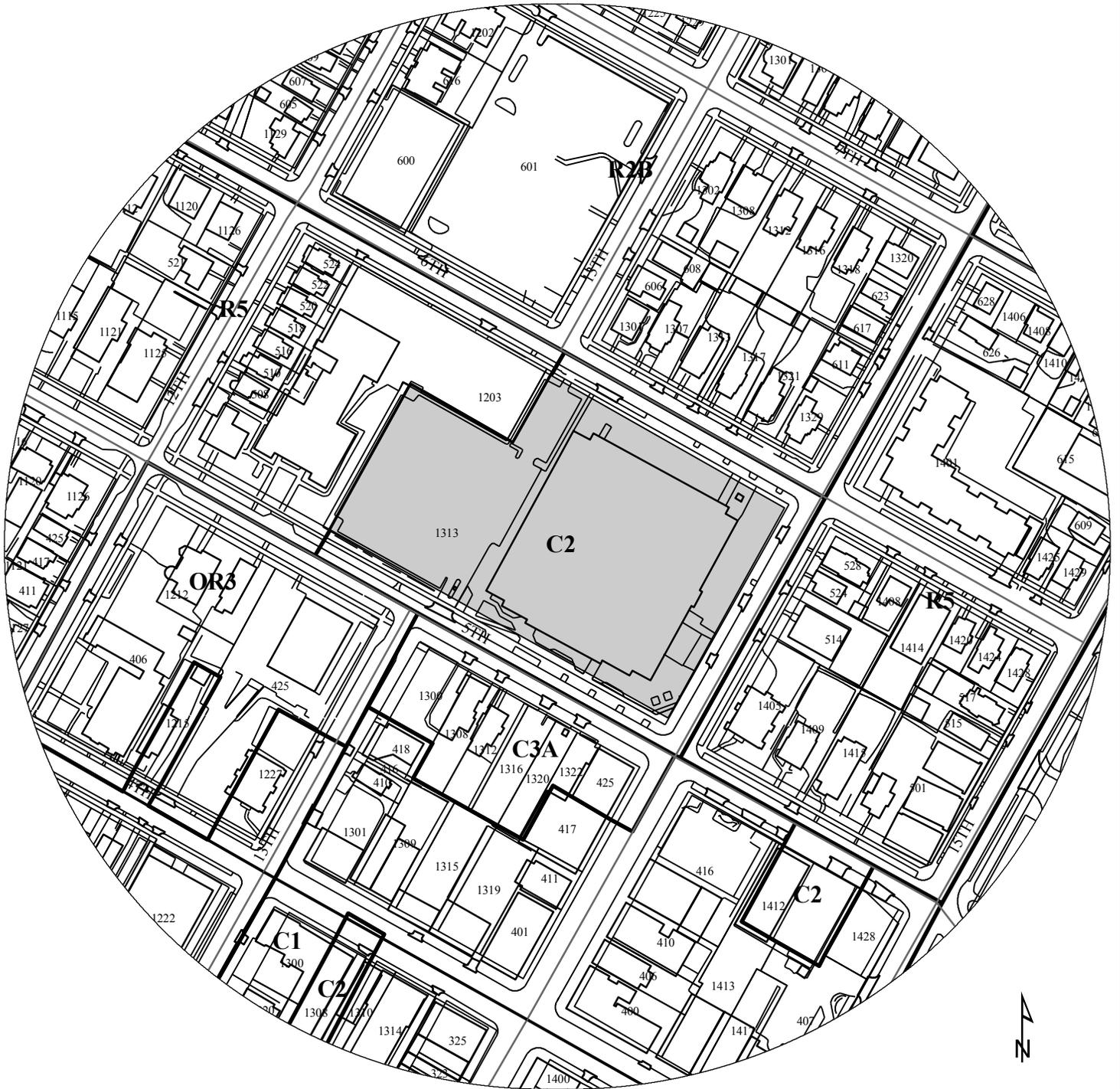
Available sign area: 371.2 SF

Carol Lansing

3rd

NAME OF APPLICANT

WARD



PROPERTY ADDRESS

The Marshall - 1313 5th Street SE

FILE NUMBER

BZZ-6700



creative color
graphic & print studio

CUSTOMER: *The Marshall*

DATE: *7/10/14*

PROJECT: *Exterior Sign Mockup*

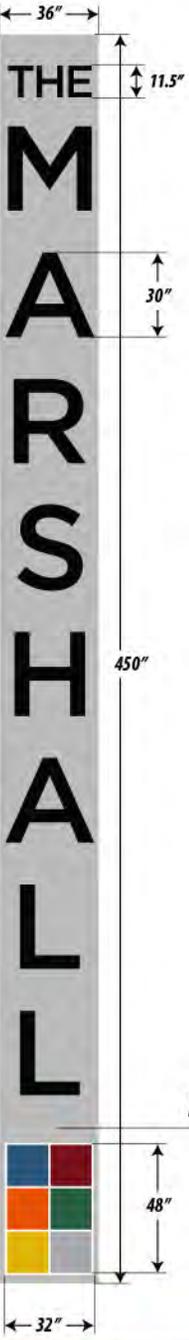
creativecolorstudio.com

tel: 952.746.4164

11975 Portland Ave. Suite 122

Burnsville, MN 55337

fax: 952.746.4134



5" Wire Way Return

5" Black Aluminum Return

East Elevation

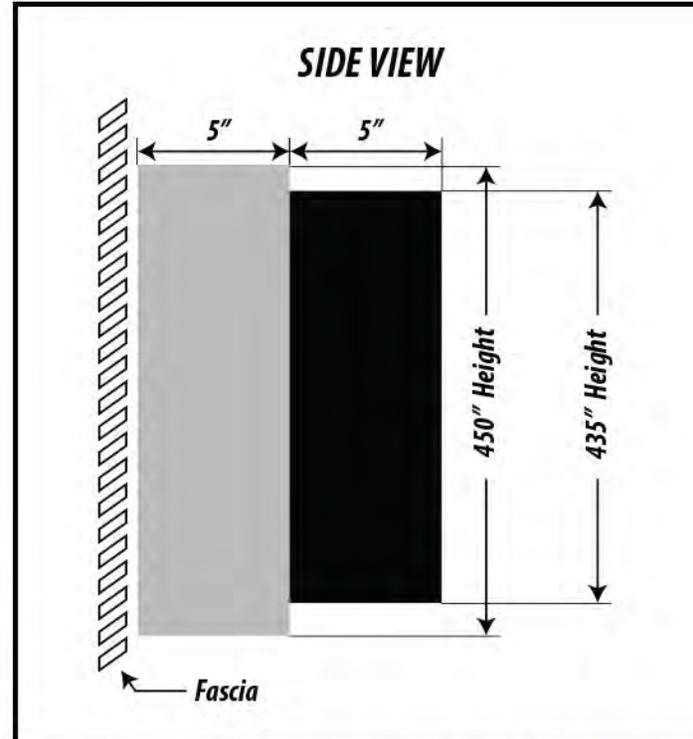


Full Color - Translucent Vinyl



5" .040 Pre painted Black Returns, .063 Pre-Finished White Backs, Illuminated With 2 Rows Of white LED's, grid in logo can, UL labeled, mounted to 37.5' X 36" pre-painted Wireway

3/16" White Acrylic - 3M Black Perf Vinyl (Black At Day - White At Night)



CUSTOMER: The Marshall

DATE: 7/9/14

PROJECT: Exterior Sign

creativecolorstudio.com

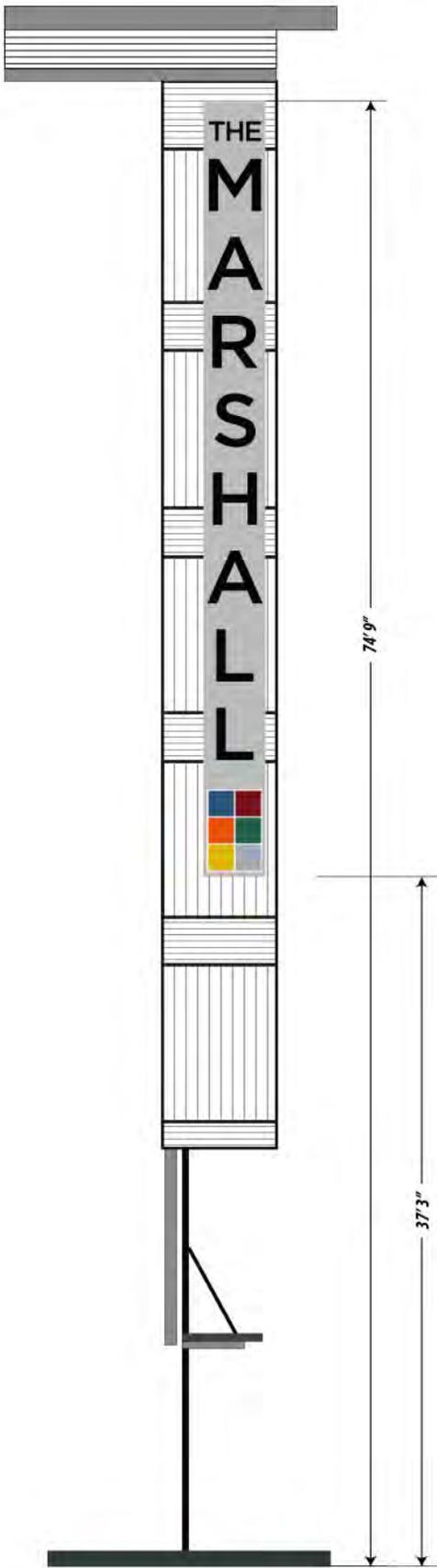
tel: 952.746.4164

11975 Portland Ave. Suite 122

Burnsville, MN 55337

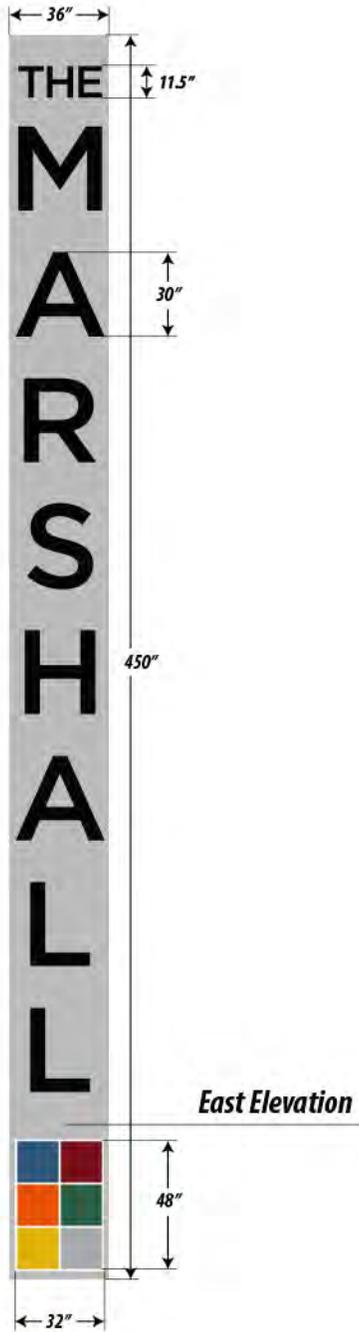
fax: 952.746.4134

THE MARSHALL



1

East Elevation



2

Elevation



3

Elevation

REVISION	DATE
ASI-002R	02-05-13
ASI-003	03-01-13
Revised for Bidding	03-20-13

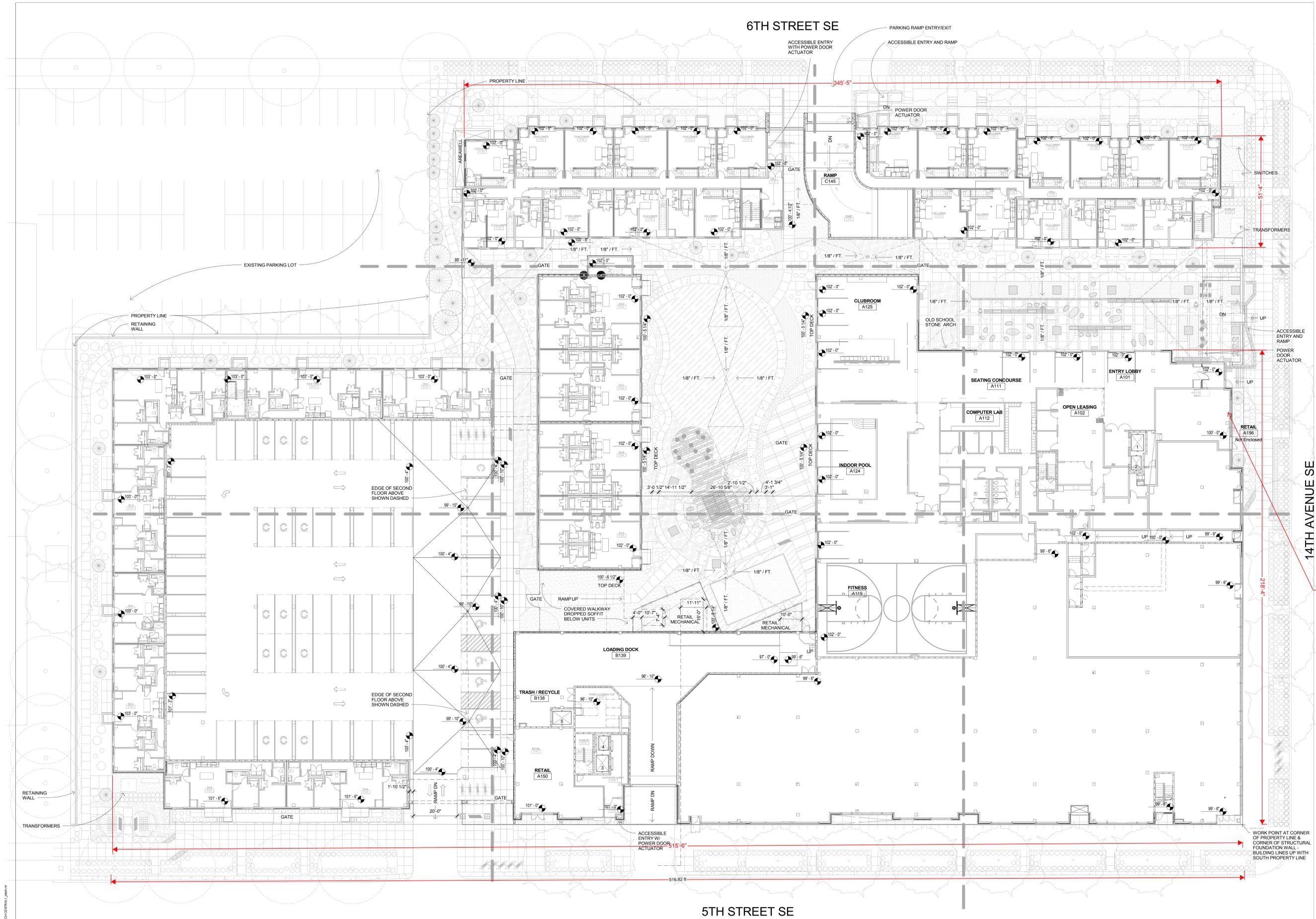
**Proposed
Sign
Location**

DATE	04/03/2014
DRAWN BY	PJN
CHECKED BY	JAS
COMMISSION NO.	1881.01

SHEET TITLE
**ARCHITECTURAL
SITE PLAN**

SHEET NUMBER

A010



6TH STREET SE

5TH STREET SE

14TH AVENUE SE

1 SITE PLAN
A010 1/16" = 1'-0"



REVISION	DATE
PR-01	01-06-14
AS1-003	03-01-13
AS1-002R2	03-12-13
REVISED FOR BIDDING	03-27-13
CCD-004	04-18-13
AS1-007	06-21-13
AS1-012	07-10-13
CCD-010	07-24-13
CCD-14	09-05-13

DATE	10-02-2013
DRAWN BY	GK
CHECKED BY	JM
COMMISSION NO.	1881.01

SHEET TITLE
**OVERALL
EXTERIOR
ELEVATIONS**

SHEET NUMBER
A500



1 NORTH ELEVATION

A500 1/16" = 1'-0"

EXTERIOR MATERIAL LEGEND

FB-1	FACE BRICK - RED
FB-2	FACE BRICK - TAN
MP-1	METAL PANEL RIBBED - EXTRA DARK BRONZE
MP-2	METAL PANEL FLUSH - SILVER METALLIC
MP-3	METAL PANEL RIBBED - CHAMPAGNE METALLIC
MP-4	METAL PANEL RIBBED - SILVER METALLIC
MP-9	BREAK METAL PANEL - SILVER METALIC
MP-10	BREAK METAL PANEL - EXTRA DARK BRONZE
R-SCREEN 1	PHENOLIC PANEL - LIGHT WOOD
R-SCREEN 2	PHENOLIC PANEL - DARK WOOD
SDG-1	FIBER CEMENT PANEL - MEDIUM GRAY
SDG-3	FIBER CEMENT PANEL - DARK GRAY
SDG-4	FIBER CEMENT PANEL - LIGHT GRAY
SDG-5	FIBER CEMENT PANEL - GOLD
SDG-6	FIBER CEMENT PANEL - SIMULATED LIGHT WOOD COLOR
SDG-7	FIBER CEMENT PANEL - SIMULATED DARK WOOD COLOR



2 SOUTH ELEVATION

A500 1/16" = 1'-0"

REVISION	DATE
ASI-003	03-01-13
ASI-002R2	03-12-13
REVISED FOR BIDDING	03-27-13
CCD-004	04-18-13
ASI-007	06-21-13
ASI-012	07-10-13
CCD-010	07-24-13
CCD-14	09-05-13



DATE	10-02-2013
DRAWN BY	GK
CHECKED BY	JM
COMMISSION NO.	1881.01

SHEET TITLE
**OVERALL
EXTERIOR
ELEVATIONS**

SHEET NUMBER

CCD-004
ASI-007
ASI-012

A501

CCD-14



 **express**

 **Opening July 27**

 **Open July 27**

SIDEWALK CLOSED

Use the Street to the Right

1329

pharmacy








express


press

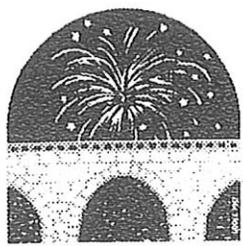

Opening
July 27

1329


Opening
July 27

SIDEWALK CLOSED

CRANK



MARCY
HOLMES

HISTORIC NEIGHBORHOOD

MHNA
500 8th Avenue SE
Minneapolis, MN 55414
office@marcy-holmes.org

www.marcy-holmes.org
612-623-7633

August 20, 2014

Zoning Board of Adjustment

250 S. 4th St., Room 300
Minneapolis, MN 55415

Re: exterior signage proposal for the Marshall at the corner of 5th St. SE and 14th Ave. SE.

To Whom It May Concern:

The Marcy-Holmes Neighborhood Association (MHNA) reviewed the plans for the exterior signage proposed at the new Marshall apartment building in Dinkytown, at our August 12th Land Use Committee meeting. The proposal was again discussed at the August 19th Board of Directors meeting where a unanimous vote of non-support was passed. We oppose the increase in size, the height, and the LED lighting.

We here present our opposition with respect to the findings for a variance as required by the Minneapolis Zoning Code.

1. *Practical difficulties exist in complying with the ordinance because of circumstances unique to the property not created by persons presently having an interest in the property and not based on economic considerations alone.*

The practical difficulties that exist in complying with the ordinance are related to the size of the building, which encompasses the entire site with little setback from the sidewalk; the architectural design, which incorporates mixed multi-colored decoration; and the decision of the developer to create a lobby on the 14th Street side of the building rather than on 5th Street. These circumstances were created by the developer and are not unique to the property itself.

The proper place for a sign identifying the apartment complex is above the lobby entrance on 14th Avenue. There is a large area above the entrance on which a sign can be placed. That side also has pictures of groups of students covering the entrance and adjacent doors. The question is whether the identification of the building from a distance of several blocks is required for other than economic reasons.

The size of the building makes it an icon in the area. Because of its size and the architectural design, it is unlikely that students will not be aware of the building if they are coming from 4th and 14th Streets. Many students, however, may view the building when approaching it from 6th, 7th, and 8th Streets to the north and the streets beyond 12th Street to the west. Since there seems to be lack of concern that there is no signage planned for multiple directions, the concern seems to be primarily of an economic nature.

2. *The property owner/authorized applicant proposes to use the property in a reasonable manner in keeping with the spirit and intent of the ordinance and the comprehensive plan.*

The channel letters on the sign are to appear black during the day and white at night, illuminated internally by LED. Internal LED lighting is very close to being backlit, which is not within the ordinance for C2 signage, and thus may require an additional variance.

The top of the sign is 74.75 feet above grade level and the length is 37.5 ft. versus the 28 ft. specified in the ordinance. The height off the ground and the size are not appropriate for a pedestrian overlay district, where signage should be designed to engage the pedestrian rather than marketing itself to passing automobiles from several blocks away. The proposed height and length are actually geared toward the automobile rather than the pedestrian.

The use of block lettering and the stark contrast of black on white during the day and white on black at night is intrusive rather than being in accord with the architectural design. We suggest that a muted design, still aligned with the building's architectural design, would be more appropriate. Consideration should be given to grey on white or black on light grey. This would be more subtle and still relate in color and character to the function and architectural character of the building.

The property owner/authorized applicant has stated that placement of the sign on the same level as the Target Express sign would result in clutter. In fact, the signage facing 5th and 14th Streets on the Target Express on the 1st floor of the building is tasteful and minimal. Making the suggested changes to the vertical sign or placing a muted sign directly over the entrance would neither create clutter or confusion.

3. *The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. It will not be detrimental to the health, safety, or welfare or the general public or of those utilizing the property or nearby properties.*

MHNA expresses concern that the LED-lit signage will be distracting to automobile drivers and the proliferating number of bicyclists who will be using what is and will continue to be a very busy intersection. In addition, the proposed sign's brightness and the light fallout will be injurious to the adjacent residential population.

Even if not considered backlit, the LED lighting seems more appropriate for a commercial restaurant near the Lagoon Theater in Uptown rather than next to Dinkytown and the adjacent residential area. It would alter the essential character of the area and be a precedent for other buildings yet to be developed.

Sincerely,

A handwritten signature in cursive script that reads "Janet Morse". The signature is written in dark ink and is positioned above the typed name.

Janet Morse
MHNA President

cc: CM Jacob Frey
Shanna Sether, Planner