

**Excerpt from the
CITY PLANNING COMMISSION
MINUTES
Minneapolis Community Planning & Economic Development (CPED)
Planning Division**

250 South Fourth Street, Room 300
Minneapolis, MN 55415-1385
(612) 673-2597 Phone
(612) 673-2526 Fax
(612) 673-2157 TDD

MEMORANDUM

DATE: September 1, 2006

TO: Steve Poor, Manager, Community Planning & Economic Development -
Planning Division

FROM: Jason Wittenberg, Supervisor, Community Planning & Economic Development -
Planning Division, Development Services

CC: Barbara Sporlein, Director, Community Planning & Economic Development
Planning Division

SUBJECT: Planning Commission decisions of August 28, 2006

The following actions were taken by the Planning Commission on August 28, 2006. As you know, the Planning Commission's decisions on items other than rezonings, text amendments, vacations, 40 Acre studies and comprehensive plan amendments are final subject to a ten calendar day appeal period before permits can be issued:

Commissioners Present: President Motzenbecker, El-Hindi, Henry-Blythe, Huynh, LaShomb, Nordyke, Norkus-Crampton, Schiff and Tucker – 9

Not Present: Krueger

16. Zoning Code Text Amendment (Title 20, Chapter 544, Ward: Citywide) (Steve Poor).

A. Text Amendment: Amendment Title 20, Chapter 544 of the Minneapolis Code of Ordinances related to the Zoning Code: Off-Premise Advertising Signs and Billboards.

The purpose of the amendment is to establish a Downtown Entertainment Billboard District in an area bounded by Second Avenue North to Hennepin Avenue, and Eighth Street North to Sixth Street North.

Action: The City Planning Commission recommended that the City Council **approve** the proposed text amendment.

Staff Poor presented the staff report.

Commissioner Tucker: I have a question about the ratio of 10 times the building perimeter, where did the number 10 come from?

Staff Poor: The number 10 comes from the fact that because the buildings are existing and many of them, they're walls are set, the windows are where they are and so the idea was instead of saying you can have a certain billboard of a certain size, which is what the other part of Chapter 544 does, talks about standard sizes 672 square foot signs. These are industry standards. Because of these buildings being built, some of which do have signs already on them, it was thought that by coming up with a ratio to the foundation perimeter, that then the square footage can be applied with respect to the uniqueness of each individual wall it may go on. The 10 comes because if you figure that you wanted to create a band around buildings, the 10 gives you enough square footage to get a massing of enough sign to make it worthwhile to actually find somebody who'd want to purchase advertising on it. I think 10 is a generous number. I think other people may think that a lesser number would be adequate, but 10 is the number that staff proposed.

Commissioner Nordyke: We did talk about this at the Committee of the Whole and I'm perfectly comfortable making the motion to adopt the text amendment as it is in front of us.

President Motzenbecker: We actually have to have a public hearing first.

Commissioner El-Hindi: As Commissioner Nordyke has mentioned, we did talk about this at the Committee of the Whole and from my standpoint I feel like if we don't have it in the theatre district, if we don't allow signage in a theatre district then where are we going to allow it? I guess the math that I used in at least getting comfortable with the number 10 was based on what I understand the Target Center currently has. The Target Center currently has about 14,000 square feet or so. In looking at what's in front of us today, if you have a one block development that is 300 feet by 300 feet and you build a building, the perimeter of that building would be 1200 feet which would give us about 12000 square feet of signage which means that basically we have something comparable to what the Target Center has. I'd say that'd put it at least in the realm of what Target Center does have and has the right. I think that would be fair for the other theatre district buildings or institutions that are there to have that right.

Staff Poor: You're absolutely right. Target Center would probably come back to what they originally had. I think they are currently built out somewhere around 14,500 square feet. There have been discussions in the past with city staff and various electeds about opening up off-premise advertising down Hennepin Avenue for the theatres. I believe some of the theatre groups have sought that in the past. The changes that are proposed here, the amendments proposed here, would still even place protections against

historically designated properties if any of the theatres were to become historically designated on the exterior not the interior. That would prohibit them from having signs, but it's a little more ambitious than this amendment currently is striving for, but it has been a point of discussion in the past.

Commissioner Tucker: What is the perimeter of Target Center?

Staff Poor: The perimeter for Target Center is approximately almost 1400 linear feet. Some of the walls are cantilevered over the sidewalk.

Commissioner Tucker: So the 10 [off microphone] leaves them where they are without being nonconforming.

Staff Poor: Yes, that is essentially correct. It would give them more flexibility. One of the problems Target Center has is that the signs that are built there, while large, are not particularly state of the art and are actually not the most interesting signs that you can get in advertising these days and they've had limited ability to go out and market them. People are wary about them being nonconforming. The regulations both at the city and state level do change on occasion, but...

Commissioner Schiff: I was going to thank Commissioner El-Hindi for his comments and his support. The reason this was introduced by me is because of the unfairness that currently exists in downtown. The billboards that are on the Target Center as well as Block E were a result of exceptions to the rules that were granted on a case by case basis. What this code amendment does today is to make those rules equal for everybody and to level the playing field and that's the most fair way that we should go forward if we're truly interested in having an arts district in downtown, a theatre district as we've called it, and to make sure we're doing all we can to allow the arts to blossom. It's true that billboards deliver revenue for small business owners particularly. When we wrote in special permission under Block E for all that excessive signage and when we're writing separate rules for the Target Center, which is owned by the city of Minneapolis, we create a little cynicism, understandable so in the small business community, but particularly small venues like First Avenue that are historic in their own right and have contributed much more culturally to the city than Block E ever will. I look forward for your support. I have one question, Mr. Poor, does this limit any off-site advertising on the first floor of the building or is this only rooftop?

Staff Poor: Ground level advertising was prohibited under the ordinance. It's really intended to be above the ground level. The idea is you're not going to have a bunch of billboards confronting people at street level, but rather one floor up. With the sightlines it still lends to the ambience of the neighborhood but it won't be visually glaring at you at the street level. Thank you for that.

President Motzenbecker opened the public hearing.

No one was present to speak to the item.

President Motzenbecker closed the public hearing.

Commissioner Nordyke moved approval of the staff recommendation (Schiff seconded).

The motion carried 8 – 0.

