



**Department of  
Public Works**  
Steven A. Kotke, P.E.  
City Engineer  
Director

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Minneapolis MN 55415

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Mr. John Wheeler  
NDC Director of Real Estate  
920 East Lake Street  
Minneapolis, Mn55407

April 29, 2008

RE: The Midtown Global Market permit applications.

Dear Mr. Wheeler:

The Minneapolis Public Works Department has reviewed your 2 applications for encroachment permits for the installation of temporary banners on Chicago Lake Special Service District banner brackets and the permanent installation of banner poles with banners. We are denying your applications based upon our finding that the message and logo on the banners makes them signs as defined by the Municipal Code. The Municipal Code specifically excludes issuing encroachment permits for signs.

95.10. Permit required for encroachment; liability; expiration. No portion of a building or other structure, including but not limited to steam lines, conduits, lighting standards, areaways, retaining walls, parking bays, etc., but excluding signs, as stated in Chapter 109, shall for any length of time encroach upon or project into, upon, over or under any street or alley, right-of-way, park or other public property without a permit having been issued by the city engineer,

Chapter 520.160 defines a sign as "A structure, fixture, placard, announcement, declaration, image, device, demonstration, logo or insignia used for direction, information, identification, attraction, or to advertise or promote any business, product, activity, service, interest or entertainment."

I consulted with the City Zoning Department which regulates and permits signage and confirmed that the banner message is a sign as defined by the Municipal Code

You may appeal this denial of your applications to the City Council through its Transportation and Public Works Committee. To do so, submit a letter to the Transportation and Public Works Committee explaining your reasons for appealing the permit denial. Please address your appeal as follows, with a copy to the Right of Way Section office.

Sandra Colvin Roy, Chairperson  
Transportation and Public Works Committee  
Room 304 -- City Hall  
350 5th Street South  
Minneapolis, MN 55415

Please contact me if you have any questions.

Sincerely,

Dennis Morris, Right of Way Supervisor  
Transportation Planning and Engineering Division  
309 2nd Ave. S, Room 200  
Minneapolis, MN 55401-2268  
(612) 673-3607



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