

CPED Planning Division Report Zoning Code Text Amendment

Date: August 28, 2006

Initiator Of Amendment: Council member Gary Schiff

Specific Site: An area bounded by 2nd Ave. N. to Hennepin Ave. and 6th St. N. to 8th St. N.

Ward: 7th **Neighborhood Organization:** Downtown West

Planning Staff and Phone: Steve Poor 612-673-5837

Intent of The Ordinance: The intent of the ordinance is to allow off-premise advertising signs to be mounted on buildings in excess of the current allotments under Chapter 544 in the proscribed area.

Affected Section(s) of the Zoning Code: Section 544.90 and Table 544-3.

Background: Chapter 544 Off-Premise Advertising Signs and Billboards was adopted in 1999 as part of the City's comprehensive revision of the zoning code. It was essentially a re-codification of the previously existing off-premise advertising regulations enumerated in Chapter 539. The current ordinances were established to regulate advertising signs and billboards so as to minimize their visual blighting effects by regulating their location, size height and spacing and to encourage their removal from locations that are nonconforming to Chapter 544

Purpose For The Amendment:

What is the reason for the amendment? The City Council has asked staff to analyze the prospect of allowing properties located on and around Target Center, Block E, First Avenue Nightclub, and the Pantages Theater to erect more off-premise advertising signs and billboards than is currently allotted under Chapter 544 - Downtown Opportunity Billboard District. Proponents suggest that by allowing additional off-premise advertising signs in this area the City can encourage the visual enlivenment and enhancement of the Downtown entertainment area around 1st Ave. N., Hennepin Ave., Target Center and Block E, much as these types of signs do in Times Square, New York City.

What problem is the Amendment designed to solve? This amendment would only apply to properties located in the proscribed areas of Downtown.

What public purpose will be served by the amendment? The amendment will allow for the possible enhancement of the Downtown entertainment area around Target Center, Block E, Pantages Theater and First Ave. Nightclub.

What problems might the amendment create? The Downtown Entertainment Billboard District could undermine the City's current regulatory mechanism by which newly erected off-premise advertising signs in Downtown require credits, established by removing existing nonconforming signs from other areas of the City, particularly predominately residentially zoned areas.

Timeliness:

Is the amendment timely? Recently there has been an inquiry to amend Chapter 544 to allow a greater amount of off-premise advertising signs and billboards in the Downtown entertainment area around the Minneapolis Downtown 2010 - 7th Street Entertainment District (Block E, Target Center, Pantages Theater and First Avenue Nightclub) than is currently allowed under existing regulations.

Is the amendment consistent with practices in surrounding areas? The Downtown Entertainment Billboard District is a unique district within the existing Downtown Opportunity District and is not generally found in surrounding communities.

Are there consequences in denying this amendment? If the amendment is denied, the Target Center in particular would be limited to the amount of off-premise advertising currently existing on the building, which is less than was originally intended when the City Council amended the Zoning Code to allow the regional sports facility to be a permitted use. The amount of off-premise advertising allowed on Target Center was inadvertently amended with the adoption of the 1999 revisions.

Comprehensive Plan:

How will this amendment implement the Comprehensive Plan?

The Minneapolis Plan has the following relevant policies:

- 3.2 Minneapolis has adopted Downtown 2010 plan as a component of the City's Comprehensive Plan and envisions downtown Minneapolis in the year 2010 as one of the nation's finest urban centers; a place of prosperity, civilization and civic pride, that will serve as the center for the metropolitan area, the state and surrounding area.**

Implementation Steps

Enhance downtown as a special place that offers the finest qualities and experiences associated with cities.

Maintain downtown as the economic center for the Twin Cities metropolitan area and Upper Midwest.

Strengthen downtown's role as the region's center of arts, entertainment and culture.

Maintain and strengthen Minneapolis's position in the national and international convention and trade show market

3.5 Minneapolis will establish priorities in the designation of future Growth Centers from the list of Potential Growth Centers in order to guide changes in the land use and development.

Implementation Steps

Provide for the flexibility to designate these Growth Centers within the City's ordinances.

Design development of a form and intensity which utilizes land efficiently and maximizes the advantages of a mixed land uses that incorporate the character of the surrounding area.

Recognize the importance of place-making in creating identifiable places with well-used attractive amenities such as open space, natural features, entertainment, public institutions, and successful identities.

Downtown 2010 Plan:

How will this amendment implement the Downtown 2010 Plan?

Downtown 2010 Entertainment Policy

- 1. Designate the area along Hennepin Avenue between 5th and 10th Streets and the Warehouse District as downtown's Entertainment District. Entertainment and specialty uses should be the primary uses at street level and skyway levels. This is especially true for uses unique to downtown and the region. Above the streets and skyways, encourage office and hotels uses.**
- 2. Maintain downtown as the location for the region's professional sports teams, and ensure that future sports facilities are located where they can complement the existing retail and entertainment districts, take advantage of existing parking and transit facilities and maximize direct economic benefits to downtown.**
- 3. Create street level excitement in the Entertainment District. A successful urban entertainment district requires a street level environment that is visually exciting and that encourages pedestrian flow between various attractions. To this end, it is vital that two things occur. First, all new development should provide uses that contribute to the visual excitement of the area. Second, the pedestrian environment along Hennepin Avenue and First Avenue North should be improved by providing streetscape enhancements such as street trees, new lighting substantially wider sidewalks where needed and more sidewalk cafes.**

Implementation Steps

Ensure that the City's zoning code amendment corresponds adequately to policies outlined in The Downtown 2010 Plan.

The Comprehensive Plan has various policies regarding the strengthening and enhancement of downtown as a prosperous urban center of arts, entertainment and culture, as well as the convention and trade shows market. There is also the economic development policy that identifies downtown as a Growth Center. That policy is aimed at creating lively entertainment places with unique identities. The Downtown 2010 Plan has policies aimed at strengthening and enhancing downtown's Entertainment District. The proposed amendment may allow for the possible furthering of these policy goals by adding to the visual color, light and excitement of the 7th Street Entertainment District.

Recommendation Of The CPED Planning Division:

The CPED Planning Division makes **no recommendation** on the proposed text amendment.

**Amending Title 20, Chapter 544 of the Minneapolis Code of Ordinances
Relating to Zoning Code: Off-Premise Advertising Signs and Billboards**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 544.90 of the above-entitled ordinance be amended to read as follows:

544.90. Downtown Entertainment Billboard District. (a) Establishment and restrictions. This section establishes the following downtown entertainment billboard district:

(1) Downtown entertainment billboard district. The downtown entertainment billboard district shall comprise the area bounded by Sixth Street South, Second Avenue North, Eighth Street North and Hennepin Avenue. Billboards and advertising signs constructed in this district shall not be subject to the requirements of 544.60 (a) (2), 544 (b) and (c), and 544.70.

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(b) Additional conditions. Off-premise advertising billboards and signs lawfully existing at the time of the adoption of this ordinance shall not be included in the calculation of the total amount of off-premise advertising signage allowed under Table 544-3 Downtown Entertainment Billboard District.

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Table 544-3 Downtown Billboard Entertainment District

	<u>Downtown Entertainment District</u>
<u>Maximum sign area</u>	<u>The sign face shall not exceed the square footage equal to 10 times the building perimeter as measured at the foundation wall, subject to 544.790(b)</u>
<u>Maximum sign height</u>	<u>56 feet, or 4 stories; if located on a roof the top of the sign shall not be more than 45 feet above the roof, except that no building that is more than 4 stories in height or where the roof is higher than 56 feet above grade shall have a billboard on</u>

	<u>its roof.</u>
<u>Lighted signs</u>	<u>Permitted</u>
<u>Minimum sign spacing</u>	<u>None</u>