

**Department of Community Planning and Economic Development – Planning Division**  
Variance  
BZZ-4479

**Date:** August 13, 2009

**Applicant:** Shea, Inc.

**Address of Property:** 1330 Nicollet Mall

**Project Name:** Loring Ramp Signage

**Contact Person and Phone:** Ryan Kronzer, 612-339-2257

**Planning Staff and Phone:** Brad Ellis, 612-673-3239

**Date Application Deemed Complete:** July 8, 2009

**End of 60-Day Decision Period:** September 6, 2009

**Ward:** 07     **Neighborhood Organization:** Citizens for a Loring Park Community

**Existing Zoning:**     B4S-1 Downtown Service District  
                                 DP Downtown Parking Overlay District

**Zoning Plate Number:** 19

**Legal Description:** N/A

**Proposed Use:** Signage for a Principal Parking Facility

**Concurrent Review:**

- Variance to allow two freestanding signs on one zoning lot
- Variance to allow two dynamic changeable copy signs on one zoning lot

**Applicable zoning code provisions:** Chapter 525, Article IX Variances, Specifically Section 525.520(21) To vary the number, type, height, area or location of allowed signs on property located in an OR2 or OR3 District or a commercial, downtown or industrial district, pursuant to Chapter 543, On-Premise Signs.

**Background:** Shea Inc., on behalf of Alatus LLC, has applied for several variances on the property located at 1330 Nicollet Mall. The subject site is approximately 48,230 sq. ft. and consists of Principal Parking Facility (the Loring Ramp) that takes up almost the entire property with the exception of a plaza along Nicollet Mall and a small open area on the west side. The property was originally owned and constructed by the City of Minneapolis, and was sold to Alatus LLC on October 30, 2007. The property fronts LaSalle Avenue, Grant Street West, and Nicollet Mall, with the main entrance to the ramp off

Nicollet Mall and the main exit on to LaSalle. The ramp is attached to the Hyatt Regency Hotel to the north, and shares facilities with it. As part of the purchase agreement with the City, the applicant will be conducting façade improvements, and has already submitted building plans to that end.

The B4S-1 Business Service District permits one freestanding sign per zoning lot with a maximum height of eight feet and a maximum size of 32 square feet. The sign chapter has been recently changed to allow dynamic changeable copy signs, subject to the following applicable standards:

- The dynamic changeable copy sign shall be limited to letters or numbers only. The background of the dynamic changeable copy sign shall be black and the text shall be colored.
- There shall not be more than one (1) dynamic changeable copy sign located on a zoning lot.
- The dynamic changeable copy sign shall be located on a primary building wall or be part of a freestanding sign.
- The maximum size of the dynamic changeable copy sign shall be sixteen (16) square feet. Dynamic changeable copy signs shall be included in the calculation of the total permitted sign area.
- The copy of the dynamic changeable copy sign shall remain static for a period of not less than one (1) hour.
- Between 7 a.m. and 7 p.m. the maximum luminance shall be 5,000 nits and between 7 p.m. and 7 a.m. the maximum luminance shall be 500 nits.

The applicant is proposing to remove all existing signs and replace them with new signage. Originally the applicant had requested variances to sign size and sign height, but has since modified the proposal and is only requesting variances to number of freestanding and dynamic changeable copy signs, which, as noted above, are both limited to one per zoning lot. The proposed freestanding signs are internally illuminated dynamic changeable copy signs with a reader board and the text “Park” and “P” to indicate public parking. The proposed signs are eight feet high and 32 square feet in size with an 11.6 square foot dynamic changeable copy area. A projecting sign is proposed above the ramp entrance, but does not require a variance.

### **Findings Required by the Minneapolis Zoning Code:**

- 1. The property cannot be put to a reasonable use under the conditions allowed and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

**Two freestanding signs:** The applicant is seeking a variance to increase the maximum number of freestanding signs on one zoning lot. The applicant has a parking ramp on a large site (over an acre) and has unique identification needs. The property fronts on three streets, but has an entrance only on one (Nicollet Mall). That entrance is close to and can be obscured by the hotel to the north. A driver on LaSalle could have difficulty finding the entrance without proper signage. Signage directing automobile traffic to a public parking facility is a reasonable use, and strict adherence to the regulations of the zoning ordinance would prevent proper signage causing undue hardship.

**Two dynamic changeable copy signs:** The applicant is seeking a variance to increase the maximum number of dynamic changeable copy signs on one zoning lot. The applicant has a parking ramp on a large site (over an acre) and has unique identification needs. The property fronts on three streets, but has

an entrance only on one (Nicollet Mall). That entrance is close to and can be obscured by the hotel to the north. Were the dynamic changeable copy sign to be used to give the current price of the ramp, it would allow a driver on LaSalle to know the existing price prior to turning on to Grant Street. This would allow better traffic flow by keeping unnecessary traffic off Grant Street. Signage directing automobile traffic to a public parking facility is a reasonable use, and strict adherence to the regulations of the zoning ordinance would prevent proper signage causing undue hardship.

- 2. The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

**Two freestanding signs:** The ramp can only be entered from Nicollet Mall, despite the fact that the ramp fronts three streets. This design, which forces all traffic in on Nicollet Mall and out on LaSalle Avenue, can create issues without correct signage. In addition, the covered driveway by the hotel entrance obscures the public entrance to the ramp. Staff believes an additional freestanding sign would help alleviate issues related to locating the entrance. The conditions upon which the variance is requested are unique to the parcel and were not created by the applicant.

**Two dynamic changeable copy signs:** The ramp can only be entered from Nicollet Mall, despite the fact that the ramp fronts three streets. This design, which forces all traffic in on Nicollet Mall and out on LaSalle Avenue, can create issues without correct signage. In addition, the covered driveway by the hotel entrance obscures the public entrance to the ramp. Staff believes an additional dynamic changeable copy sign could allow a driver to make a decision on whether to enter the ramp prior to attempting to locate the entrance, limiting traffic along Grant Street. The conditions upon which the variance is requested are unique to the parcel and were not created by the applicant.

- 3. The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance by allowing the additional freestanding dynamic changeable copy sign. The additional sign would meet all other requirements of the zoning code. The sign is in keeping with the scale and character of the ramp, the hotel, and other large buildings in the vicinity. The applicant is also making improvements to the plaza surrounding the signs.

- 4. The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Two freestanding signs: Granting the variance would likely decrease the congestion of area streets since drivers would be more effectively able to locate the entrance to the ramp as well as make pricing

decisions prior to attempting to locate the ramp. Granting the variance would likely have no impact on fire safety, nor would the proposed signs be detrimental to the public welfare or endanger the public safety.

**Findings required by the Minneapolis Zoning Code for a sign adjustment:**

- 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 proposed signs would be the primary source of signage for the applicant, with only one other sign indicating the entrance to the ramp. The applicant will remove four signs and replace with three signs, reducing the overall number of signs. The two signs would be on opposite ends of a city block, approximately 275 feet away from one another. The proposed freestanding signs are consistent with the B4S-1 zoning district because they help direct drivers to a parking ramp.

- 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.**

It is staff's opinion that the signs will relate to the function and character of the building. The proposed signs have a masonry base that matches the new building façade in both materials and color. The signs will be internally illuminated, with a dynamic changeable copy sign surrounded by an arrow with the word "park" and the letter "P" on it to help guide automobile traffic to the entrance. The proposed signs match the style of the building, and are designed to blend in with the remodeled plaza.

**RECOMMENDATIONS**

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:**

The Department of Community Planning and Economic Development – Planning Division recommends that the Board of Adjustment adopt the above findings and **approve** the variance for two freestanding signs on one zoning lot for the property located at 1330 Nicollet Mall in the B4S-1 Downtown Service District.

**Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance:**

The Department of Community Planning and Economic Development – Planning Division recommends that the Board of Adjustment adopt the above findings and **approve** the variance for two dynamic changeable copy signs on one zoning lot for the property located at 1330 Nicollet Mall in the B4S-1 Downtown Service District.

**Attachments:**

- 1) Written descriptions and findings submitted by the applicant
- 2) Correspondence from neighbors, neighborhood associations, etc.
- 3) Zoning map
- 4) Sign schematics
- 5) Site plan and proposed plaza improvement plan
- 6) Building elevations
- 7) Photographs