

Department of Community Planning and Economic Development – Planning Division Report

Variance Request
BZZ-4178

Date: October 16, 2008

Applicant: Sean Sounder of SDDI Sign Systems

Address of Property: 720 Washington Avenue Southeast

Contact Person and Phone: Sean Sounder, 952-224-9906

Planning Staff and Phone: Molly McCartney, 612-673-5811

Date Application Deemed Complete: September 2, 2008

Publication Date: October 10, 2008

Hearing Date: October 16, 2008

Appeal Period Expiration: October 27, 2008

End of 60 Day Decision Period: November 3, 2008

Ward: 2 Neighborhood Organization: University (adjacent to Prospect Park)

Existing Zoning: C2 Neighborhood Corridor Commercial District, PO Pedestrian Oriented Overlay District, and the MR Mississippi River Critical Area Overlay District.

Proposed Use: Two new cabinet signs

Proposed Variances:

- A variance to increase the total size allocation for signs from 247 sq. ft. to 384 sq. ft. along the Washington Avenue Southeast façade of the building,
- A variance to increase the height from grade of a wall sign from 24 ft. to 30 ft. at a three-story commercial building at 720 Washington Avenue Southeast.

Zoning code section authorizing the requested variance: 525.520 (21) (21)

Background: The subject property is three-story commercial building located at the southwest corner of Washington Avenue Southeast and Oak Street Southeast, near the University of Minnesota, East Bank campus. The proposed sign package includes two new signs for an existing tenet, University of Minnesota Physicians. One wall sign is proposed above a main building entrance along Washington. This cabinet sign measures approximately 2.25 ft. by 12 ft., (29.25 sq. ft.) and meets the height limit, but

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adds to the overall signs allowed. The second wall sign is located above the second story windows at approximately 30 ft. from grade and measures 3.5 ft. by 29 ft. (101.5 sq. ft.).

The proposed signs are comprised of painted aluminum cabinets with vinyl text that will be internally illuminated. The text for both signs is consistent with the title/logo for the University of Minnesota Physicians.

The subject building is a multi-tenant building with retail space on the first floor and office space on the second and third floors. The University of Minnesota Physicians offices are on the second and third floors. The ground floor retail spaces have wall signs above their respective storefronts. Second and third story uses do not have exterior signage above the ground floor, although they may have window signs (which do not contribute to the overall signage allowed).

Findings Required by the Minneapolis Zoning Code:

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

A variance to increase the total size allocation for signs from 247 sq. ft. to 384 sq. ft. along the Washington Avenue Southeast façade of the building

The zoning code allows for signage equal to 1.5 sq. ft. for every linear feet of primary building wall. There are six existing wall signs above the first story storefronts that total 247 sq. ft. of signage. The code does not prohibit reasonable amount of signage on this building.

A variance to increase the height from grade of a wall sign from 24 ft. to 30 ft.

The zoning code prohibits wall signs greater than 24 ft. from grade. The subject building has a traditional sign band area above the first floor storefronts. The code does not prohibit reasonable signage that is visible to pedestrians and vehicles.

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.**

A variance to increase the total size allocation for signs from 247 sq. ft. to 384 sq. ft. along the Washington Avenue Southeast façade of the building

The subject building has six wall signs on this façade of the building, which totals 247 sq. ft. of signage. Because the building has multiple tenants, the building does have competing interests for signage. However, multiple tenant buildings are a common occurrence for commercial buildings and is not an unique circumstance.

A variance to increase the height from grade of a wall sign from 24 ft. to 30 ft.

The circumstances are not unique to parcel of land due to the ability to place adequate signage on the building. The subject building has six wall signs that total almost 246 sq. ft. on this façade

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of the building, which is close to the maximum allowed in this zoning district. Because the building has multiple tenants, the building does have competing interests for signage. However, the building is located near a number of landmark buildings, such as the University of Minnesota Alumni Center, which allow for easy identification through means in addition to signage.

- 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.**

A variance to increase the total size allocation for signs from 247 sq. ft. to 384 sq. ft. along the Washington Avenue Southeast façade of the building:

Granting the variance to allow for the additional first floor signage is keeping with the spirit and intent of the ordinance. Multi-tenant buildings do have increase demand for signage, and given the standard sign location above the storefront windows of the other tenants on this façade, allowing the additional first floor signage is reasonable.

Increasing the amount of signage to over 100 sq. ft. of the maximum for both signs does add to sign clutter and opens up the possibility of more signage on the second and third floors.

A variance to increase the height from grade of a wall sign from 24 ft. to 30 ft.

Granting the variance to allow for the taller sign is not keeping with the spirit and intent of the ordinance. Installing signage to traditional sign areas, such as above storefront windows, limits sign clutter as well as presents a cohesive sign plan for a commercial building. Allowing the large sign above the second story window opens up the possibility of more signage on the second and third floors.

The subject site is located in a Pedestrian Oriented Overlay District, which is a zoning overlay that seeks to preserve and enhance the pedestrian environment. Adding signage that is not human scale, i.e. very large and high off the ground, diverts from the pedestrian experience and can be a distraction to drivers.

- 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.**

A variance to increase the total size allocation for signs from 247 sq. ft. to 384 sq. ft. along the Washington Avenue Southeast façade of the building and a variance to increase the height from grade of a wall sign from 24 ft. to 30 ft.

Sign clutter does detract from the public welfare and can increase safety issues by increasing sign clutter. Sign clutter can be distracting for pedestrians as well as drivers.

Findings Required by the Minneapolis Zoning Code for a sign adjustment:

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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.**

A variance to increase the total size allocation for signs from 247 sq. ft. to 384 sq. ft. along the Washington Avenue Southeast façade of the building and a variance to increase the height from grade of a wall sign from 24 ft. to 30 ft.:

Allowing the variances will lead to sign clutter and the height of the second-story sign is inconsistent with the intent of the PO District. Allowing the proposed first story sign is appropriate given the consistent location of other signage above the first floor storefront windows on this building.

2. **The sign adjustment will allow a sign of exceptional design or style that will enhance the area or that is more consistent with the architecture and design of the site.**

A variance to increase the total size allocation for signs from 247 sq. ft. to 384 sq. ft. along the Washington Avenue Southeast façade of the building and a variance to increase the height from grade of a wall sign from 24 ft. to 30 ft.:

The proposed signs are made of durable materials and have a consistent title/logo for the tenants, University of Minnesota Physicians. The first floor sign is consistent with the architecture of the commercial building because of its placement in a traditional sign location, above the storefront windows. However, the second story sign is not consistent with the architecture or design of the site.

Recommendation of the Department of Community Planning and Economic Development Planning Division:

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **approve** the

- A variance to increase the total size allocation for signs from 247 sq. ft. to **277** sq. ft. along the Washington Avenue Southeast façade of the building, at a three-story commercial building at 720 Washington Avenue Southeast, subject to the following conditions,

1. Final sign plans are review by CPED-Planning staff.

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **deny** the

- A variance to increase the height from grade of a wall sign from 24 ft. to 30 ft. at a three-story commercial building at 720 Washington Avenue Southeast.