

Department of Community Planning and Economic Development – Planning Division

Variance Request
BZZ-3661

Date: July 26, 2007

Applicant: Ted Kroska, on behalf of Health Partners

Address of Property: 2220 Riverside Avenue

Contact Person and Phone: Ted Kroska, (651) 488-6711

Planning Staff and Phone: Brian Schaffer, (612) 673-2670

Date Application Deemed Complete: July 2, 2007

Public Hearing: July 26, 2007

Appeal Period Expiration: August 6, 2007

End of 60 Day Decision Period: February 4, 2007

Ward: 2 Neighborhood Organization: West Bank Community Coalition

Existing Zoning: OR3 Institutional Office Residential District and the MR Mississippi River Critical Area Overlay District

Proposed Use: A new internally illuminated 48 square foot wall sign

Proposed Variance: A variance to increase the amount of signage on the south building wall from 220 square feet to 538 square feet to allow for one additional 48 square foot wall sign to be added to an existing building located at 2220 Riverside Avenue in the OR3 Institutional Office Residential District and the MR Mississippi River Critical Area Overlay District.

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

Background: The subject site is Health Partners Clinic and is located between 22nd and 23rd Avenue on Riverside Avenue.

The building originally had signage that read “Health Partners” on the north building wall and on the south building wall on both the west and east corners. In 2002 a series of variance were granted to allow the for the addition of the word “clinic” to the signs (BZZ-693). The current signs read “Health Partners Clinic.” The variances were:

1. A variance to increase the maximum allowed sign height from 14 feet to 30 feet

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2. A variance to increase the sign area allowable for 2 signs from 180 sq ft to 189 sq ft
3. A variance to increase the amount of signage on the south building wall from 220 to 490 square feet.

The subject building has a freestanding sign on the property and is allowed to have 1 square foot of signage per 1 linear foot of building wall. The south building wall is 220 feet and the allowable signage is 220 square feet.

The applicant is proposing to install a 48 square foot internally illuminated wall sign on the south building wall. The proposed sign will read "Urgent Care Nights & Weekends." The sign will be located on the north side of the main entrance to the building. The sign meets all the zoning requirements, except that its addition to the south building wall increases the amount of signage to 538 square feet, which exceeds the maximum amount of 220 square feet.

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.**

The applicant has requested a variance to increase the maximum sign allocation from 220 feet to 538 square feet to allow for 48 square foot wall sign. The subject building is part of a complex of Health Partners buildings and the existing signage delineating the subject building as Health Partners Clinic is needed to help identify the building.

The applicant states that without the proposed signage "the urgent care clinic is an unknown, unidentified entity within the building unable to serve the needs of the community and those seeking urgent care health services."

For the purposes of analysis the wall of the subject building is considered part of the south building wall, however the portion of the wall where the proposed sign and the existing sign is located faces southeast and not south.

The applicant has indicated the need for the existing signage and the proposed signage. Staff believes that the urgent care is a reasonable use of the property and that the use should have signage to inform users of the location. However, staff believes that a smaller sign would be more reasonable than the 48 square foot sign that is proposed.

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.**

The circumstance for which the variance is sought is unique to the parcel of land. The design of the building and its location within a complex of other buildings creates a unique circumstance 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.**

Granting the sign variance will not alter the essential character of the surrounding neighborhood and nor will it be injurious to the use or enjoyment of other property in the area. The subject building is in the middle of a complex of hospital buildings with no residential buildings nearby. Furthermore the building is setback a half block from Riverside Avenue.

Staff believes the proposed variance does not meet the intent of the ordinance. The additional signage is 4 feet tall by 12 feet wide. The 48 square foot sign will increase sign clutter on the building. The zoning ordinance guarantees a 30 square foot sign for a ground floor nonresidential use. The intent of the ordinance is to allow uses the necessary signage while attempting to mitigate the sign clutter and its impact.

- 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.**

Granting the variance to increase the maximum sign allocation would likely have no impact on the congestion of area streets or fire safety, nor would it 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.**

Staff believes increasing the maximum allowed signage from 220 feet to 538 feet would lead to sign clutter in the area. The Zoning Ordinance reduces the size allocation for wall mounted signs from 1.5 square feet of signage per linear building wall to 1 square foot when a freestanding sign is present. The intent of the reduced sign size allocation is to avoid sign clutter. The subject site currently has a freestanding sign and allowing for the requested additional wall signage would be inconsistent with the intent of the Zoning Ordinance. In addition, the ordinance guarantees 30 square feet of signage for ground floor nonresidential uses. The proposed sign is 48 square feet.

- 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.**

The proposed sign is an internally illuminated wall sign. The proposed sign will not detract from the area or the architecture of the building.

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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 variance to increase the amount of signage on the south building wall from 220 square feet to **520** square feet to allow for one additional **30** square foot wall sign to be added to an existing building located at 2220 Riverside Avenue in the OR3 Institutional Office Residential District and the MR Mississippi River Critical Area Overlay District with the following condition:

1. CPED-Planning review and approve final site plan, floor plans, and elevations.