

Department of Community Planning and Economic Development – Planning Division Report

Variance Request
BZZ-2849

Date: April 20, 2006

Applicant: Laura Boyd, on behalf of the Library Bar & Grill

Address of Property: 1301 4th Street Southeast

Contact Person and Phone: Laura Boyd, 763-413-8887

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

Date Application Deemed Complete: February 22, 2006

Public Hearing: April 20, 2006

Appeal Period Expiration: May 1, 2006

End of 60 Day Decision Period: April 23, 2006

Ward: 3 **Neighborhood Organization:** Marcy Holmes Neighborhood Association

Existing Zoning: C1, Neighborhood Commercial District

Proposed Use: Installation of a new sign

Proposed Variance:

- A variance to increase the maximum area for a projecting sign from 12 square feet to 31.5 square feet along 4th Street Southeast,
- A variance to increase the maximum area for a projecting sign from 12 square feet to 31.5 square feet along 13th Avenue Southeast, and
- A variance to increase the maximum height of a projecting sign from 14 feet to 22 ft. 3 in. all to allow the installation of a projecting sign at 1301 4th Street Southeast in the C1 Neighborhood Commercial District.

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

Background: The subject site is a two-story building at the corner of 4th Street Southeast and 13th Avenue Southeast includes the bar and restaurant, the Library. The proposed projecting sign is the only sign proposed for the property and will not exceed the total amount of signage permitted at this site.

The applicant is proposing a projecting sign that has text on a circular crown and base and text on a portion with three-faces on the corner of the building. The sign's measurements will measure approximately 45 sq. ft (3 ft. 9 in. by 11 ft. 11in.). The height off the ground to the top of the sign will be 22 ft. 3 in. In the C1 District, the maximum area of a projecting sign is limited to 12 sq. ft. and the maximum height is 14 ft. off the ground. The proposed sign will be a green aluminum cabinet with open-face channel letters and exposed neon. The sign would be located above the corner of the doorways into the restaurant. The proposed sign will meet the regulation of not extending more than 4 ft. from the building.

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.**

Maximum size for a projecting sign along 4th Street Southeast and 13th Avenue Southeast:

The applicants states the proposed size of the three sided-sign is needed for visibility at an intersection with a one-way street. Because of the lack of visibility of a two-sided sign of the location on the establishment at an intersection with a one-way street, staff believes that the proposed projecting sign is a reasonable use of the property.

Maximum height off the ground: Strict adherence to the zoning code requires that a wall sign be no more than 14 ft. from the ground in the C1 District. The proposed projecting sign would be 22 ft. 3 in. off the ground. The area at the corner of the building for the projecting sign to be located is above an area on the building that is an entrance to the restaurant. A projecting sign may interfere with this door if located lower than the proposed height. Staff believes that a projecting sign 22 ft. 3 in. off the ground is a reasonable use of the property.

- 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.**

Maximum size for a projecting sign along 4th Street Southeast and 13th Avenue Southeast:

The circumstances are unique to the property and have not been created by the applicant. The applicant states that since the establishment is located at the intersection of a two-way street, 13th Avenue Southeast, and a one-way street, 4th Street Southeast, a three-sided sign is required to provide visible signage to traffic on 13th Avenue Southeast. The proposed size of the sign will be in scale with the building is two stories and is built up to the lot lines. The size of the existing building and the location of the establishment at the intersection of a one-way street is a unique circumstance not created by the applicant.

Maximum height off the ground: The circumstances are unique to the property and have not been created by the applicant. The proposed projecting sign would begin at 10 ft. 4 in. off the

ground. Because of the configuration of the building, locating a projecting sign lower may obstruct the entrance into the restaurant or interfere with activity on the sidewalk. The proposed size of the sign will be in scale with the building is two stories and is built up to the lot lines. The size and configuration of the frontage of the existing building is 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.**

Maximum size for a projecting sign along 4th Street Southeast and 13th Avenue Southeast: Staff believes that granting of the variance will be keeping with the spirit of the ordinance and will not alter the essential character of the surrounding area, Dinkytown. The Minneapolis Plan defines Dinkytown as an Activity Center and there is a mixture of Commercial Zoning Districts in the area. The proposed sign would not be out of character in Dinkytown, which includes projecting and rooftop signs, such as the Variety Theater and Annie's Restaurant.

Maximum height off the ground: Staff believes that granting of the variance will be keeping with the spirit of the ordinance and will not alter the essential character of the surrounding area. Projecting signs and even roof top signs are common in the Dinkytown neighborhood. The height of the sign will not project past the top of the building.

- 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.**

Maximum size for a projecting sign and maximum height off the ground: Granting the variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed structure 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.**

Maximum size for a projecting sign and maximum height off the ground: Staff believes that the proposed projecting sign is in scale with the building and the area. The proposed sign will not project more than 4 ft. from the building and except for the height, is consistent with other requirements of the C1 zoning district. The proposed sign size will not exceed the total amount of signage allowed for this site, but will be located higher than the permitted height in the C1 District. The increased size and height for the projecting sign is appropriate for the Dinkytown neighborhood and the scale of the building it is proposed on.

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.**

Maximum size for a projecting sign and maximum height off the ground: Staff believes that the proposed wall sign is in scale with the building. The sign will be of a comparable design, painted aluminum and neon, and is consistent with the design of the building. The proposed sign will have large text that reads the name of the restaurant, *Library*, with smaller text above and below that reads *Minneapolis* and *Minnesota*. The projecting sign will be consistent with other signage in the area, such as the Variety Theater, located across 4th Street Southeast from the subject 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 variance to increase the maximum area for a projecting sign from 12 square feet to 31.5 square feet along 4th Street Southeast, **approve** the variance to increase the maximum area for a projecting sign from 12 square feet to 31.5 square feet along 13th Avenue Southeast, and **approve** the variance to increase the maximum height of a projecting sign from 14 feet to 22 ft. 3 in., to allow the installation of a projecting sign at 1301 4th Street Southeast in the C1 Neighborhood Commercial District.