

Department of Community Planning and Economic Development - Planning Division Report
Variance
BZZ-4597

Date: December 3, 2009

Applicant: Katie Neufeld, on behalf of PCCP NNN Northstar Hotel, LLC (Crown Plaza Northstar)

Address of Property: 618 2nd Avenue South

Project Name: Crown Plaza Northstar Hotel Signage

Contact Person: Katie Neufeld, (612) 436-9336

Planning Staff: Robert Clarksen, (612) 673-5877

Date Application Deemed Complete: October 22, 2009

End of 60-Day Decision Period: December 21, 2009

Ward: 7 Neighborhood Organization: Downtown Minneapolis Neighborhood Association

Existing Zoning: B42 Downtown Business District and DP Downtown Parking Overlay District

Zoning Plate Number: 19

Proposed Use: Install three new wall signs

Proposed Variance:

- a variance to allow the location of two new wall signs on a wall that does not meet the definition of a primary building wall
- a variance to increase the maximum height of 3 new wall signs from the 28 feet allowed in the B42 zoning district to 34' (one sign on each of north and south elevation) and 40' (one sign above entrance on west elevation).

Zoning code section authorizing the requested variance: Chapter 525, Article IX Variances, specifically Section 525.520(21) "to vary the number, type, height, area or location of allowed signs..."

Background: The subject property is a hotel within the central district of the downtown core on a block bounded by 2nd and Marquette Avenues, and 6th and 7th Streets. The subject site is a 20 story building located at the southeasterly corner of said block on an irregularly shaped lot. The lot includes two parcels that are each roughly 66 x 165, for a total of approximately 22,000 square feet of land. The land where the hotel is located is owned by an LLC that controls 5 of the six parcels on the block, including the Northstar Center office building. The remaining land on the block is improved by the "Six Quebec" mixed use development at the northwesterly corner opposite the hotel. The IDS Center, Cappella Tower, and Wells Fargo Center are all within one block of the subject site.

The hotel is the only tenant in the building, which was built with modernist details in 1962. The building's exterior employs a unique precast concrete arched overhang that offers relief from the vertical brick columns that make up the facade. The overhang projects approximately 4 feet from the front elevation, wrapping the main entrance to nearly 5 stories above grade as viewed from the street. A flat canopy is also suspended out above the entrance which is approximately twice the width of the overhang, covering the sidewalk in front of the building from the curtain wall to the curb. Together, the overhang and canopy combine to create a recessed entrance space which greets those who enter the building from 2nd Avenue.

The proposed signage consists of three internally illuminated channel letters each situated below a corporate logo that is typical of signs on nearby buildings, except in terms of proposed height. Two of the proposed signs will be hung on either side of the overhang approximately 34' from grade, a third will be mounted flat on the front of the overhang and centered approximately 40' over the main entrance.

The B42 zoning district permits 2½ square feet of signage for every linear foot of the building width, meaning the allotment will allow for signs that are much larger than that proposed. The applicant is applying for a variance to increase the height of signage from the maximum allowed in the B42 zoning district (28' from grade) and to locate two signs on the side of the overhang, which is not considered a primary building wall. The second variance arises from the Zoning Administrator's interpretation of the definition of a "primary building wall" as it pertains to the subject property. The definition is as follows:

Primary building wall (PBW). An exterior building wall that faces a street or that faces an accessory parking area and contains a public entrance. When the exterior building walls are not parallel to a street, they shall be assigned to the street frontage to which they are most oriented.

The interpretation relies on signs 2 and 3 being positioned to face perpendicular to the 2nd Avenue frontage of the property, which was thought to be inconsistent with the definition of PBW. Then, given the proposed signs do not meet the standards established in the zoning code, the additional variance is required. No signage has been proposed by the applicant for the 7th Street elevation at this time. Also, due to construction on 2nd Avenue in front of the building, the canopy and all the former signage have been removed from the building.

As of writing this staff report, staff has not received any correspondence from the Downtown Minneapolis Neighborhood Association or any other stakeholders. Staff will forward any comments received to the Board of Adjustment at the 12/3 meeting.

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.**

Height/Sign 1 - The applicant is seeking a variance to allow for a sign to be placed at approximately 40 feet above grade, in excess of the maximum height of 28' allowed by the zoning code. The front elevation of the existing structure includes a unique overhang that arches over and around the front entrance. The sign could be installed in compliance with the height requirement if it were installed in a different location on the front elevation. However, the proposed location

helps to identify the location of the entrance, and to place it elsewhere would not draw building users to the front door. In this way, the regulation could be construed as an undue hardship. The proposed location will align the new sign with an existing logo located directly above the front door.

The applicant states that the proposed location of signs 2 and 3 is the only location that provides the necessary visibility of the hotel when beyond the direct field of view of the sign above the entrance. The proposed locations of sign 2 and 3 are not on a primary building wall. However, they are oriented towards north and southbound traffic on 2nd Avenue. Staff has visited the site and agrees that without some signage that provides a north/southbound viewshed it would be difficult to determine whether or not the building housed a hotel. Strict adherence to the regulations to the zoning ordinance could prohibit reasonable use of the property and cause undue hardship due to the lack of visibility of the use.

Height/Signs 2 and 3 – The applicant is seeking a variance to allow two signs to be installed at approximately 34 feet above grade, in excess of the maximum height of 28’ allowed by the zoning code. An additional variance for location is requested to allow installation of these on a portion of the projection the Zoning Administrator has determined is not a Primary Building Wall. The proposed location is intended to identify the Hotel to those approaching the site from the north or south. Installing the signs at the height proposed would lend greater consistency with the other signage on the building, and center the sign on the projection as viewed from either angle. Lowering the signs in order to comply with the 28’ height requirement could have a detrimental effect on the rhythm of the façade as the projection creates a sign band unique to the building, and this may be considered an undue hardship.

Location/Signs 2 and 3 – The applicant is appropriately concerned that the central sign and logo above the entrance are unlikely to be visible except from directly across the street. A projecting sign installed on the primary façade instead of the overhang would not require the location variance, and would identify the building from the north and south. However, the proposed signs are likely to have the same characteristics (size, location, illumination, etc) and visual impact of such a projecting sign, therefore strict adherence to the location regulation would result in undue hardship given the circumstances. The projecting overhang is a unique aspect of the building architecture and the façade. The variance would not be necessary on a flat façade absent a similar architectural feature.

- 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.**

Height/Sign 1 - The circumstances of the request for the proposed variance are unique to the parcel and have not been created by the applicant. The proposed signs will all be installed on a unique aspect of the architecture, a prominent projection from the front façade that frames the entrance. The applicant has requested the variances for height to the proposed sign so as to locate it in a manner that takes advantage of this architectural feature, which forms a natural sign band across the buildings front elevation. Given the location of the existing logo and the height of the

projection, the proposed height of the sign is necessary to place the sign in an appropriate location on the projection. The variance would likely not be necessary if the façade elements were akin to other buildings in the area that are absent this unique architectural element.

Height/Signs 2 and 3 – The circumstances are unique to the parcel and have not been created by the applicant. The proposed signs will both be installed on a unique aspect of the architecture, a prominent projection from the front façade that frames the entrance. The applicant has requested the variances to increase the height from 28’ to 34’ in order to center the signs on the north/south wall of the architectural feature. If the sign was lowered to meet the 28’ requirement, the result would be an awkward placement of these signs on the overhang. The variance for height for signs 2 and 3 would likely not be necessary if the façade elements were akin to other buildings in the area that are absent this unique architectural element.

Location/Signs 2 and 3 – The circumstances are unique to the parcel and have not been created by the applicant. The proposed signs will both be installed on a unique aspect of the architecture, a prominent projection from the front façade that frames the entrance. The applicant has requested the variances to location due a determination by the zoning administrator that the north and south walls on the projection are not a primary building wall and therefore they are ineligible for signage. The applicant is appropriately concerned that the central sign and logo above the entrance are unlikely to be visible except from directly across the street, leading to the need for an additional sign presence to the north and south. A projecting sign installed on the primary façade instead of the overhang would not require the location variance, and would identify the building from the north and south. As the proposed signs are likely to have the same characteristics (size, location, illumination, etc) and visual impacts that a projecting sign would have, the applicant has arguably created the circumstance which requires the variance given the interpretation of the zoning code in this situation. However, the applicant did not create the overhang and for practical purposes, signs 2 and 3 would be allowed as wall signs if the proposed location was not perpendicular to the street face. The variance would not be necessary on a flat façade absent a similar architectural feature.

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.

Height/Sign 1 - The regulations governing on-premise signs were established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property and to protect the public health safety and welfare. The circumstances of the request for the proposed variance are unique to the subject property and should not alter the character of the surrounding properties in terms of signage. None of the proposed variances would likely be necessary if not for the uniqueness of the height and components of the projection. The proposed signs will all be installed on a unique aspect of the architecture, in a way that is consistent with the spirit and intent of the ordinance generally. The variance for height of the proposed sign will allow for the applicant to capitalize on the uniqueness of the architectural feature and its capacity to act as a natural sign band across the buildings front elevation. The proposed height is the most appropriate location on the façade for this type of sign.

Height/Signs 2 and 3 – The regulations governing on-premise signs were established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property and to protect the public health safety and welfare. The circumstances of the request for the proposed variance are unique to the subject property and should not alter the character of the surrounding properties in terms of signage. None of the proposed variances would likely be necessary if not for the uniqueness of the height and components of the projection. The proposed signs will be installed in a manner that is consistent with the spirit and intent of the ordinance generally. The variances for height of the proposed sign will allow for the applicant to capitalize on the uniqueness of the architectural feature and its capacity to act as a natural sign band across the buildings front elevation. The proposed height of 34’ allows both signs to be centered vertically on the north and south elevation of the projection.

Location/Signs 2 and 3 – The regulations governing on-premise signs were established to allow effective signage appropriate to the planned character of each zoning district, to promote an attractive environment by minimizing visual clutter and confusion, to minimize adverse effects on nearby property and to protect the public health safety and welfare.

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- 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 would likely have no impact on the congestion of area streets or fire safety, nor would the proposed signs be detrimental to the public welfare or endanger the public safety. The sign will not have moving or flashing components that would be particularly distracting to drivers or nearby properties.

Findings Required by the Minneapolis Zoning Code for the Proposed 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 sign is located on an existing building that measures approximately 165 in length. The zoning code allows 2.5 square feet of signage per linear foot of wall, or a total of 413 square feet of possible signage on a building of this size. The applicant proposes 3 new signs with this request. The largest of the three is approximately 61 square feet, while the other two are approximately 16 square feet each for a total of 93 square feet of additional signage with this request. A logo on the projecting overhand which will remain is approximately 100 square feet, therefore the total area of all signs is 193 square feet or less than half what is permitted by the zoning code. Staff believes the addition of these signs will not result in unnecessary sign clutter on the building or any inconsistencies with the zoning district in which the sign is located.

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.

Staff believes the proposed signs are professionally designed and will be crafted with quality materials that are visually consistent with the architecture of the existing building. The signs will be internally illuminated channel letters which employ energy saving LED lighting techniques. The proposed signage is similar in scale to signs for other uses in the area in addition to the scale and context of the subject property.

Recommendation of the Department of Community Planning and Economic Development - Variance:

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 locate a wall sign on the north and south elevation of a projection from the building façade that does not meet the definition of a primary building wall for an existing hotel at 618 2nd Avenue South in the B42 zoning district.

Recommendation of the Department of Community Planning and Economic Development - Variance:

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **approve** a variance to increase the maximum height of three proposed wall signs as follows:

- a) from 28' feet to 34' on the north elevation,
- b) from 28' feet to 34' on the south elevation,
- c) from 28' feet to 40' on the west elevation.

for an existing hotel at 618 2nd Avenue South in the B42 zoning district

Attachments:

- 1) Written descriptions and findings submitted by the applicant
- 2) Copy of e-mails sent to the Downtown Minneapolis Neighborhood Association and CM Goodman
- 3) Zoning map

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- 4) Site plan
- 5) Sign plan
- 6) Photographs