

Department of Community Planning and Economic Development - Planning Division Report
Variances
BZZ-4420

Date: June 25, 2009

Applicant: Impact Properties, Inc.

Address of Property: 4528/4600 Lyndale Avenue North

Project Name: Impact Mailing Signage

Contact Person: Mark Anderson, (612) 638-1425

Planning Staff: Shanna Sether, (612) 673-2307

Date Application Deemed Complete: May 21, 2009

End of 60-Day Decision Period: July 20, 2009

Ward: 4 **Neighborhood Organization:** Camden Industrial Area, adjacent to Lind-Bohanon

Existing Zoning: I2 Medium Industrial District

Zoning Plate Number: 2

Legal Description: Not applicable

Proposed Use: A new wall sign

Concurrent Review:

- Variance to increase the maximum permitted height for a wall sign to 30 feet
- Variance to increase the maximum permitted area for a wall sign from 180 square feet to 203 square feet

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 approximately 8 acres and is the site of Impact Mailing, a warehouse and distribution facility. The property has frontage along Lyndale Avenue North and Interstate 94. Previous approvals for the property include a site plan review and plat applications to allow for a 65,200 sq. ft. addition, which was approved by the City Planning Commission on May 12, 2008. Impact Mailing is the sole tenant in the existing building.

There are three existing signs on the property; an internally illuminated wall sign on the northeast corner of the property, a wall sign along the west elevation with the address and a freestanding sign along Lyndale Avenue North. The applicant is proposing to install a third wall sign on the south elevation of the structure, approximately 30 above grade and 203 square feet. The maximum height of a wall sign is 28 feet from grade to the top of the sign; therefore, the applicant has requested a variance for the proposed height of the sign. The maximum area of a sign is calculated at one square foot of signage for every one linear foot of primary building wall. The length of the primary building wall along the south elevation is 203 square feet; however, the zoning code has an additional provision that states the maximum area of a wall sign shall not exceed 180 square feet. Therefore, the applicant is applying for a variance to increase the maximum area of a sign from 180 sq. ft. to 203 sq. ft.

As of writing this staff report, staff has not received any correspondence from the Lind-Bohanon Neighborhood Association. Staff will forward comments, if any are received, at the Board of Adjustment 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.

Sign height: The applicant is seeking a variance to increase the maximum permitted height for an identification wall signage from 28 feet to 30 feet. The applicant states that the increased height is required due to the location of the windows in the building and to avoid obstruction by the highway fence along Interstate 94. The proposed location of the sign is oriented towards Interstate 94 on a recently approved building addition that was subject to window requirements through a site plan review application in May of 2008. Staff has observed that it is very difficult to see the business from Interstate 94 without the use of signage. Strict adherence to the regulations to the zoning ordinance would prohibit reasonable use of the property and cause undue hardship due to the lack of visibility of the use along Interstate 94.

Sign area: The applicant is seeking a variance to increase the maximum allowable area for wall signage from 180 sq. ft. to 203 sq. ft. The applicant states that the increased sign area allows for better visibility and proportion to the building. The maximum area of a sign is calculated at one square foot of signage for every one linear foot of primary building wall. The length of the primary building wall along the south elevation is 203 square feet; however, the zoning code has an additional provision that states the maximum area of a wall sign shall not exceed 180 square feet in order to avoid sign clutter for larger mixed use buildings. Strict adherence to the regulations to the zoning ordinance would prohibit reasonable use of the property by requiring a smaller sign on a larger building with one commercial tenant and cause undue hardship due to the lack of visibility of the use along Interstate 94.

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.

Sign height: The conditions upon which the variance is requested are unique to the parcel and have not created by the applicant. The previous site plan review application required windows on

the second floor of the building addition. In addition, there is an existing sound wall along Interstate 94. The only appropriate location of the sign to ensure visibility is approximately 30 feet above natural grade.

Sign area: The conditions upon which the variance is requested are unique to the parcel and were not created by the applicant. The maximum area of a sign is calculated at one square foot of signage for every one linear foot of primary building wall. The length of the primary building wall along the south elevation is 203 square feet; however, the zoning code has an additional provision that states the maximum area of a wall sign shall not exceed 180 square feet in order to avoid sign clutter for larger mixed use buildings.

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.

Both variances: 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 subject property is zoned I2 Medium Industrial District and is adjacent to Interstate 94. Staff believes that the granting of these variances would be in keeping with the spirit and intent of the ordinance by allowing the sign to be 203 sq. ft. in area and located 30 feet above grade. Without the proposed sign, the use may not be visible from the roadway. The sign would not front directly onto any property that would find the proposed sign overly imposing or intrusive.

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.

Both variances: 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.

Both variances: The proposed sign is located on a 2-story addition, approximately 203 feet in length. This is the only sign located on this wall. The addition of this identification sign does not cause unnecessary sign clutter to the façade of the building and is consistent with the location on the second floor and the area as determined by the length of the primary building wall.

- 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.**

Both variances: It is staff's opinion that the signs were constructed professionally out of quality materials. The proposed signs are consistent with the existing freestanding sign and wall signs.

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 increase the maximum permitted area for a wall sign from 180 square feet to 203 square feet for an existing warehouse and distribution facility located at 4528/4600 Lyndale Avenue North in the I2 Medium Industrial 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** the variance to increase the maximum permitted height for a wall sign to 30 feet for an existing warehouse and distribution facility located at 4528/4600 Lyndale Avenue North in the I2 Medium Industrial District.

Attachments:

- 1) Written descriptions and findings submitted by the applicant
- 2) Copy of e-mail sent to the Lind-Bohanon neighborhood and CM Johnson
- 3) Zoning map
- 4) Site plan
- 5) Building elevations
- 6) Sign plan
- 7) Photographs