

**Department of Community Planning and Economic Development – Planning Division****Variance Request  
BZZ-1985**

**Date:** October 21 2004

**Applicant:** Pfaff Calhoun, LLC

**Address of Property:** 3270 West Lake Street

**Contact Person and Phone:** Rick Ballantyne, Shad Tracy Signs, (952) 894-2421

**Planning Staff and Phone:** Tanya Holmgren, (612) 673-5887

**Date Application Deemed Complete:** September 27, 2004

**End of 60 Day Decision Period:** November 26, 2004

**End of 120 Day Decision Period:** January 25, 2005

Ward: 7      **Neighborhood Organization:** Cedar-Isle-Dean Neighborhood Association

**Existing Zoning:** C3S, Community Shopping Center District

**Proposed Use:** A new wall mounted sign.

**Proposed Variance:** A variance to increase the maximum permitted area of wall mounted signage from 75 sq. ft. to 302 sq. ft. to allow for a new 104 sq. ft. wall mounted sign.

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

**Background:** The subject site is a pie shaped property with frontage along Lake Street West and backs up to the Midtown Greenway. The site consists of a shopping center on a 283,122 sq. ft. lot. The applicant is proposing to replace an existing 16 year old wall mounted Edina Realty sign with a new larger wall mounted sign constructed with LED. The existing wall mounted Edina Realty sign is 60 sq. ft. and the proposed wall mounted Edina Realty sign is 104 sq. ft. (4 ft. by 26 ft.).

Existing signage for the south façade of the building located along Lake Street on the subject property consists of an existing 180 sq. ft. wall mounted sign for Hollywood Video. The applicant is proposing to install a new 104 sq. ft. internally illuminated wall mounted Edina Realty sign directly below the Hollywood Video sign on the south façade of the building. The total of these two signs is 302 sq. ft. Additionally, there are other businesses in the shopping center with signs above the front of their tenant spaces, along the interior of the property.

The maximum allowable amount of wall signage for the south façade of the building is 75 sq. ft. Hollywood Video totals 180 sq. ft. of wall signage and is grandfathered since the signage has been in existence prior to the 1999 Minneapolis Code of Ordinances. Since Hollywood Video signage exceeds the maximum allowable signage of 75 sq. ft. for the south façade, Edina Realty is not allowed additional signage without a variance.

**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.**

**Sign area:** The applicant is seeking a variance to increase the maximum allowable area for a wall signage from the permitted 75 sq. ft. to 302 sq. ft. The applicant has stated that due to the size of the existing Hollywood Video sign, the Edina Realty sign is not visible. Strict adherence to the regulations does not allow for the proposed 104 sq. ft. replacement sign on the south façade of the building, which is a reasonable location for their signage due to the existing Edina Realty and Hollywood Video sign.

- 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 area:** The circumstances upon which the variance is requested are unique to the parcel. Existing signage for the south façade of the building located along Lake Street on the subject property consists of a 180 sq. ft. wall sign for Hollywood Video. The applicant is proposing to install a new 104 sq. ft. wall mounted Edina Realty sign below an existing Hollywood Video sign on the south façade of the building. The two signs total 302 sq. ft.

The maximum allowable amount of wall signage for the south façade of the building is 75 sq. ft. Hollywood Video's sign totals 180 sq. ft. of wall signage. Since Hollywood Video signage exceeds the maximum allowable signage of 75 sq. ft. for the south façade, Edina Realty is not allowed additional signage without a variance. The Edina Realty office will have a total of 104 sq. ft. of signage with the proposed wall mounted sign, which is greater than the 75 sq. ft. they would typically be permitted by code. The new sign is smaller than the existing Hollywood Video sign, is only slightly larger than the existing Edina Realty sign, and will provide greater separation between the two signs, so that they do not appear to be one large sign.

- 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.**

**Sign area:** Granting the sign area variance will not alter the essential character of the surrounding neighborhood and will not be injurious to the use or enjoyment of other property in the vicinity, because the applicant is replacing their existing sign on the same wall of the building. Staff believes that the proposed sign is in scale with the existing sign south façade and will not significantly affect the character of the area, because it replacing an existing wall mounted sign.

- 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.**

**Sign area:** Granting the sign area variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed sign be detrimental to the public welfare or endanger the public safety because the proposed sign will replace an existing sign.

**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.**

**Sign area:** Staff believes that the new wall mounted sign will not increase the amount of sign clutter in the area since the proposed sign is replacing the existing Edina Realty sign on the south façade of the building. Staff believes the new sign is consistent with the C3S zoning district to which it is located by being internally illuminated to maintain consistency with the existing Hollywood Video sign on the south façade of the building. Staff believes that the additional sign is appropriate in scale to the existing signage on the property.

- 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.**

**Sign area:** Staff believes that the additional sign is in scale with existing signage on the property. The proposed sign is internally illuminated and is designed to be consistent with the existing Hollywood Video sign on the south façade of the building. The applicant states that the sign will be a LED sign, which is energy saving and will replace a fading 16 years old sign. Staff believes that the additional sign is appropriate in scale to the existing signage on the property.

**CPED Planning Division Report**  
BZZ-1985

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

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 of wall mounted signage from 75 sq. ft. to 302 sq. ft. to allow for a new 104 sq. ft. wall mounted sign subject to the following conditions:

1. That the Planning Division review and approve the final site and elevation plans.
2. That the applicant obtains a sign permit.