

Department of Community Planning and Economic Development – Planning Division**Variance Request
BZZ-3859**

Date: November 19, 2007

Applicant: Ed Soltvedt on behalf of City Center Associates

Address of Property: 40 South 7th Street; 600 Nicollet Mall

Contact Person and Phone: Ed Soltvedt, (612) 339-8601

Planning Staff and Phone: Carol Ahlgren (612) 673-2847

Date Application Deemed Complete: October 31, 2007

Public Hearing: November 29, 2007

Appeal Period Expiration: December 10, 2007

End of 60 Day Decision Period: December 31, 2007

Ward: 7 Neighborhood Organization: Nicollet Mall Advisory Board

Existing Zoning: B4-2 Downtown Business District
Downtown Parking Overlay
Nicollet Mall Overlay

Proposed Use: To provide two new projecting canvas banner signs and three flat wall signs for Brooks Brothers Clothiers at Nicollet Mall and City Center, 600 Nicollet Mall and 40 South Seventh Street, respectively.

Proposed Variance: A variance to increase the allowed height of projecting signage from 16 feet to 28.3 feet for two new projecting canvas banner signs, one to be located at 600 Nicollet Mall and one to be located at 40 Seventh Street in the B4-2 Downtown Business District and the Nicollet Mall Overlay Districts. The variance is also required to increase the allowed square footage of the projecting signs from 12 square feet to 53 square feet each.

Zoning code section authorizing the requested variance: 551.950

Background: The subject site is City Center, located at 600 Nicollet Mall and 40 South 7th Street and is located in downtown Minneapolis. The subject building has 330 lineal feet fronting Nicollet Mall, and is allowed a ratio of three and one half square feet of sign per one square foot of the primary building wall for a total of 1155 square feet. Currently adjacent businesses such as Marshalls and Office Depot

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comprise 635 square feet of the existing available signage area. The applicant proposes to add three signs on the Nicollet Mall building wall; two flat wall signs measuring 45 square feet each for a total of 90 square feet; and one projecting canvas banner sign measuring 53 square feet for a total of 143 square feet of signage. The proposed signage will read “Brooks Brothers Clothiers.”

The proposed new signage includes two flat wall signs at 45 square feet for a total of 90 square feet on the Nicollet Mall building wall. The existing signage allowed is computed at 3.5 square feet per one foot of primary building wall; the existing 330 feet of primary building wall times 3.5 square feet is 1,155 square feet. Currently 635 square feet of signage is located on the Nicollet Mall façade, with 520 square feet available. The proposed signage therefore, is within the District requirements for permitted square footage. The proposed Nicollet Mall projecting banner sign will consist of canvas fabric stretched over an anodized aluminum supporting frame; it will not be attached to the existing skyway. The proposed projecting banner signage will therefore meet the District requirements in terms of location and material.

The proposed Seventh Street signage will consist of one 45 square foot flat wall sign and one projecting canvas banner sign measuring 53 square feet, by 28.3” in height. The existing signage allowed is computed at 3.5 square feet per one foot of primary building wall; the existing 270 feet of primary building wall times 3.5 square feet is 945 square feet. Currently there is no signage on this building wall. The proposed signage therefore, is within the District requirements for permitted square footage. The proposed Seventh Street projecting banner sign will consist of canvas fabric stretched over an anodized aluminum supporting frame; and will meet the district requirement of material.

A variance is required for the two projecting canvas banner signs to be located on Nicollet Mall and Seventh Street. The variance is required to increase the required height of each sign from 16 feet to 28’. 3” and to increase the size area of each sign from 12 square feet to 53 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 height and size of projecting banner signage from 16 feet to 28.3”, and to increase the size from 12 square feet to 53 square feet for two signs to be located at 600 Nicollet Mall and 40 Seventh Street in the Nicollet Mall Overlay District. The proposed signage delineating the subject retail space as Brooks Brothers Clothiers is needed to help identify the business.

The applicant has indicated the need for the existing signage and the proposed signage. Staff believes that this is a reasonable use of the property and that the use should have signage to inform users of the location, particularly in light of the second floor commercial space occupied by the use.

- 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 on Nicollet Mall at City Center 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 retail space is in the middle of the downtown Commercial District, surrounded by similar commercial uses.

The applicant states that the proposed signage will be of “exceptional style and design that will be in keeping with the architecture, scale, and mass of the building and with the spirit and essential character of the retail community and zoning ordinances.”

Staff believes the proposed variance meets the intent of the ordinance. The two projecting wall signs will be compatible to adjacent similar commercial signage and will not increase sign clutter on the building or in the area. Similar signage has been approved in the area; the proposed projecting banner signs are consistent with previously approved signage in terms of size, height, and material.

- 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 height for projecting signage from 16 feet to 28.3’ on the Nicollet Mall and Seventh Street building walls, and by increasing the maximum area from 12 square feet to 53 square feet will not lead to sign clutter in the area. The subject site currently has both flat wall and comparable projecting banner signs. Allowing for the requested additional signage would be consistent with the intent of the Zoning Ordinance.

- 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 signage is for two skyway level canvas banners, located at the Nicollet Mall and Seventh Street facades of City Center. The proposed signage will not detract from the area or the architecture of the building and will not be attached to the existing skyway on the Nicollet Mall facade. Further the proposed signage is consistent with existing projecting banner signage in the Downtown Commercial District and on Nicollet Mall.

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 allowed height of projecting signs from 16 feet to 28.3” for two new canvas banner signs at 600 Nicollet Mall and 40 7th Street. Staff also recommends approval to increase the allowed maximum area of the proposed signage from 12 square feet to 53 square feet with the following condition:

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

Appendices

Appendix A: Zoning Map

Appendix A: Statement of Proposed Use and Variance Statement

Appendix B: Site Plan and Signage Information

Appendix C: Applicant Photos

Appendix D: Neighborhood Communication