

Community Planning and Economic Development Department – Planning Division Report

Variance Request
BZZ-2710

Date: January 19, 2006 (continued from January 5, 2006 and December 15, 2005)

Applicant: Ken Serrels, on behalf of Daniel Gonsior

Address of Property: 6001 Lyndale Avenue South

Date Application Deemed Complete: November 11, 2005

End of 60 Day Decision Period: January 10, 2006

End of 120 Day Decision Period: March 11, 2006 (Extension letter sent December 8, 2005)

Contact Person and Phone: Ken Serrels, (612) 869-8408

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

Ward: 11 **Neighborhood Organization:** Windom Community Council

Existing Zoning: C2 Neighborhood Corridor Commercial District

Proposed Use: Wall Signs

Proposed Variance: A variance to increase the maximum area for wall mounted signage from 47 sq. ft. to 140 sq. ft. to allow for two additional wall signs, one 90 sq. ft. identification wall sign and one 50 sq. ft. product information wall sign.

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

Continuance: This item was continued from the January 5, 2005 meeting to allow for the applicant to be present at the hearing.

Background: The subject site is approximately 29,829 sq. ft. and consists of one office building and one concrete block building. The property fronts Lyndale Avenue South and sides 60th Street West. There are a total of five commercial tenant spaces in the two buildings. The applicant's tenant space is located in the concrete block building directly east and behind of the office building. The entrances to the applicant's tenant space are on the west side of the building.

Existing signage for the tenant consists of a 32 sq. ft. freestanding sign located on the southeast corner of Lyndale Avenue South and 60th Street West. There are additional signs on the zoning lot that belong to the other four commercial tenants. However, the signage belonging to the additional four commercial tenants does not count towards the signage requirement for the applicant. The applicant is applying for a variance to allow for two additional wall signs; a 90 sq. ft. identification sign and 50 sq. ft. production information sign on the west façade of the building.

The maximum allowable amount of wall signage for the tenant is 47 sq. ft. The total proposed sign area is 140 sq. ft. The signs are hand painted blue with gold lettering.

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 area: The applicant is seeking a variance to increase the maximum allowable area for wall signage from 47 sq. ft. to 140 sq. ft. The applicant states that the increased area allows for better visibility. There are two structures on the zoning lot located at 6001 Lyndale Avenue South. The applicant's tenant space is located behind the second building that fronts Lyndale Avenue South. The applicant states that you cannot see the business from either side of the street. Staff observed that it is very difficult to see the business from the street. 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 tenant space from both Lyndale Avenue South and 60th Street West. However, staff believes that only the 90 sq. ft. tenant identification sign would be necessary in order to increase visibility and would allow for 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.**

Sign area: The conditions upon which the variance is requested are unique to the parcel and were not created by the applicant. There are two principal structures on the same zoning lot. The applicant's tenant space is located behind the office building, which fronts Lyndale Avenue South and severely decreases that amount of visibility of the tenant space.

- 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: Staff believes that the granting of this variance would be in keeping with the spirit and intent of the ordinance by allowing the 90 sq. ft. identification sign. Without this sign, the tenant space would not be visible from the street. However, the smaller, 50 sq. ft. sign cannot be seen from either street and does not serve a purpose of identification, which is in conflict with the spirit and intent of the ordinance and would alter the essential character of the locality.

- 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 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.

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.**

Sign area: It is staff's opinion that the 90 sq. ft. wall sign that identifies the tenant space would not lead to sign clutter, because it is not entirely visible along Lyndale Avenue South. However, 50 sq. ft. sign is not visible from either 60th Street West or Lyndale Avenue South. The addition of this sign, which does not serve a purpose of identification, would cause unnecessary sign clutter to the façade of the building.

- 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: 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 other tenants' signs.

Recommendation of the CPED Department Planning Division:

The CPED Department 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 the permitted **47 sq. ft. to 90 sq. ft. to allow for an identification wall sign.**