

**Department of Community Planning and Economic Development - Planning Division Report****Variance Request  
BZZ-2011**

**Date:** November 18, 2004

**Applicant:** The Clicquot Club

**Address of Property:** 2929 25<sup>th</sup> Street East

**Date Application Deemed Complete:** October 21, 2004

**End of 60 Day Decision Period:** December 20, 2004

**End of 120 Day Decision Period:** February 18, 2005

**Contact Person and Phone:** Bryan Maher, 612-850-9124

**Planning Staff and Phone:** Carrie Flack, 612-673-3239

**Ward:** 9      **Neighborhood Organization:** Seward

**Existing Zoning:** C1, Neighborhood Commercial District

**Proposed Use:** Coffee shop

**Proposed Variance:** A variance to reduce the required amount of off-street parking from 9 spaces to 0 spaces and a variance to increase the maximum allowable area for wall signage from the permitted 43.5 sq. ft. to 234.17 sq. ft. to allow for an additional 54 sq. ft. wall sign to be added.

**Zoning code section authorizing the requested variance:** 525.520 (8) (21)

**Background:** The subject site is a reverse corner lot that is 48 ft. x 95 ft. (4,560 sq. ft.) and consists of a 1,131 sq. ft. building. The building faces 25<sup>th</sup> Street East and sides 30<sup>th</sup> Avenue South. The building previously consisted of a neighborhood grocery store. The applicant is planning to renovate the building for a coffee shop and café. Parking for the property consists of only on-street parking. Nine parking spaces are required for the proposed new use and the applicant is seeking a variance for 0 parking spaces.

Existing signage for the property consists of a 180 sq. ft. Orange Crush sign painted on the east façade, a 252 sq. ft. Clicquot Club sign painted on the west facade of the building, and a 32 sq. ft. projecting sign at the northeast corner of the building. The applicant is proposing to install a new 54 sq. ft. externally illuminated wall sign on the north façade of the building.

The maximum allowable amount of wall signage for the property is 43.5 sq. ft. The existing signage totals 464 sq. ft. of wall signage. The 180 sq. ft. Orange Crush sign is not considered a sign since it advertises a product and it is grandfathered and will not count towards the signage requirement. The 252 sq. ft. Clicquot Club sign is grandfathered but must be included in the sign variance request calculation. This sign is allowed a 60 sq. ft. credit from the 30<sup>th</sup> Avenue South side of the building and thus only 192 sq. ft. of that sign will count towards the sign requirement. The 32 sq. ft. projecting sign that exists is also grandfathered and must also be included in the sign variance request calculation. These signs are grandfathered since the signage has been in existence prior to the 1999 Minneapolis Code of Ordinances. The applicant is proposing to maintain these signs and add one new sign to the building. The new sign will be individual aluminum mounted letters that will be lit with down facing goose neck lighting. The sign totals 54 sq. ft. The sign variance needed is from 43.5 sq. ft. to 234.17 sq. ft. to allow for the addition of the new 54 sq. ft. sign on the north elevation of the building.

**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 43.5 sq. ft. to 234.17 sq. ft. The applicant has stated that they are maintaining the original signage of the building in order to preserve the character and history of the building. They are proposing to add one new sign to the front of the building where no sign previously existed. The majority of the signage is grandfathered. The new sign is 54 sq. ft., 10.5 sq. ft. greater than allowed for the property without the grandfathered signage. Strict adherence to the regulations does not allow for the proposed 54 sq. ft. sign on the north façade of the building which is a reasonable size and location for their signage. Based on the submitted information regarding the existing grandfathered signage, this request seems reasonable.

**Parking reduction:** The applicant is seeking a variance to reduce the required number of off-street parking spaces from the required 9 spaces to 0 spaces. The applicant states that to accommodate on site parking would require the removal of green space on the subject property. In addition, the applicant states that the coffee shop is intended to serve residents in the neighborhood who will walk or bike to the business. Strict adherence to the regulations would require the installation of a curb cut off 25<sup>th</sup> Street East to allow for 2 possible parking spaces on the property after setback requirements for the property are imposed. Based on the submitted information, staff believes that the use of the property as a neighborhood coffee shop that will be accessed mostly by residents who will walk or bike to the property seems reasonable.

- 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. The maximum allowable amount of wall signage for the entire property is 43.5 sq. ft. Existing signage for the property consists of a 464 sq. ft. of painted wall signs that are grandfathered since the signage has been in existence prior to the 1999 Minneapolis Code of Ordinances. The applicant is proposing to install a new 54 sq. ft. wall sign on the north façade of the building. Staff believes that the uniqueness and character the existing signs provide for the property are not conditions created by the applicant.

**Parking reduction:** The circumstances for which the variance is sought are unique to the parcel of land and have not been created by the applicant. The subject site is the only parcel in the immediate surrounding area zoned commercial. The property is located in a residential neighborhood surrounded by R2B and R1A zoned properties. After setbacks are imposed on the subject site, enough area remains for approximately 2 parking spaces. To install anymore parking spaces would require significant front yard and interior side yard setback variances. In addition, a new curb cut would be required as none currently exists. The building previously consisted of a grocery store with no off-street parking. The history and configuration of the property are not circumstances 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.**

**Sign area:** Granting the 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. The building consists of several signs that are being preserved to maintain the uniqueness and historical character of the building. The proposed new additional sign is 54 sq. ft., only 10.5 sq. ft. greater than permitted for the property if the grandfathered signage did not exist. The new sign is sized and located appropriately on the north façade of the building where no other signage exists.

**Parking reduction:** Granting the 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 area. The applicant has stated that the new coffee shop will serve surrounding area residents who will either walk or bike to the property. In addition, the coffee shop will provide a viable local amenity for the neighborhood where currently a vacant building has remained unmaintained. However, staff believes that additional landscaping in the green space would enhance the sidewalk and streetscape and would suggest that a landscaping plan be submitted.

- 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 congestion of public streets or increase the danger of fire, nor would the proposed sign be detrimental to the public welfare or endanger the public safety.

**Parking reduction:** Granting the variance would not likely increase congestion in the area or increase the danger of fire safety, nor would the proposed parking reduction variance be detrimental to welfare or public safety. While a restaurant/café use has a higher requirement for parking than some other more general retail uses, staff does not believe that the expansion will negatively impact the surrounding neighborhood. The Riverview Café serves many area residents. They have estimated that approximately 85 percent of their business comes from within a 10 block radius and that the majority of those people either walk or ride a bicycle. They also have access to nearby adjacent parking and there is a bus stop on the corner of the property.

**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 sign will not increase the amount of sign clutter in the area since the proposed sign is 54 sq. ft. in size which is only 10.5 sq. ft. larger than permitted for the property if the grandfathered signage did not exist. The existing grandfathered signage is unique and serves as a historical marker for the building and neighborhood. In addition, the proposed sign will not project from 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:** Staff believes that the design of the sign is exceptional and will enhance the building. The new sign will be individual aluminum mounted letters that will be lit with down facing goose neck lighting. The size and location of the sign is also appropriate for the north façade of the building.

**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 reduce the required amount of off-street parking from 9 spaces to 0 spaces and **approve** the variance to increase the maximum allowable area for wall signage from the permitted 43.5 sq. ft. to 234.17 sq. ft. to allow for an additional 54 sq. ft. wall sign to be added subject to the following conditions:

1. That the Planning Division review and approve final site and elevation plans.
2. That the applicant obtain a sign permit.
3. That the applicant comply with all Minor Site Plan Review requirements.
4. That the applicant submit a landscaping plan for the remaining green space.

**CPED Planning Division**  
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