

Department of Community Planning and Economic Development - Planning Division Report

Variance Request
BZZ-2896

Date: March 22, 2006

Applicant: Opus Properties on behalf of Ameriprise Financial

Address of Property: 707 2nd Avenue South (Corporate Headquarters Building) 27-029-24-11-0133

Contact Person and Phone: Tom Sopoci / RSP Architects / 612-677-7100

Planning Staff and Phone: Robb Clarksen 612-673-5877

Date Application Deemed Complete: March 14, 2006

End of 60 Day Decision Period: May 7, 2006

Appeal Period Expiration: April 17, 2006.

Ward: 7 Neighborhood Organization: Downtown Minneapolis Neighborhood Association

Existing Zoning: B42 Downtown Commercial District

Proposed Use: Add a series of four 10 square foot projecting banner signs 31 ½ feet above the grade on 3 sides of the existing building. According to the site plan provided by the applicant, the project will add 4 new signs and approximately 40 square feet of signage to the North elevation of the building along 7th Street.

Proposed Variance: A variance to increase the maximum height of a series of 10 square foot projecting signs from 24 to 31 ½ feet above grade in the B42 Downtown Commercial zoning district.

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

Background: Tom Sopoci of RSP Architects, on behalf of Opus Properties, is requesting a variance to the maximum height requirement for projecting signage in the B42 district to allow for the installation of a series of projecting banner signs at the subject site. As mentioned, the property is zoned B4C2 which limits the height of projecting signs to 24 feet. The applicant requests a variance to the height requirement for signs in the B42 district from 24 to 31 ½ feet from grade. The applicant proposes to install the signs on columns supporting a portion of the office tower on the north side of the block. There is an existing band of ornamental light fixtures located on these columns located some 20 feet above the ground.

The zoning code authorizes a budget for signage based on 1 square foot of signage per lineal foot of wall. The building wall along 7th street measures 275 feet, allowing up to 275 square feet of signs on the

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wall. There are currently no signs on the building providing a means for identification of existing tenants at this time.

The Board of Adjustment recently approved a variance to permit the construction of a large monument sign at the northeast corner of the property on November 17, 2005.

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 subject property is a 25 story office tower building with a pedestrian arcade that reaches from street grade to the third floor. The site is flat and rectangular and the building is up to the property line. The columns simultaneously support the superstructure of the office tower and create the pedestrian arcade at street level. The columns also support a series of metal ornamental light sconces which project off the surface of the column towards the exterior of the building, and provide a source of light on the building façade and the sidewalk. The maximum height of a projecting sign in the B42 zoning district is 24 feet. In order for the signage to comply with this requirement, the applicant would have to move the existing light fixtures to a different location or compromise the intent of a projecting sign by orienting it parallel to the street frontage off the other side of the column. Staff believes this circumstance is unique to this property and finds that strict adherence to the regulations of this ordinance could cause unnecessary hardship to the applicant. Further, the projecting banners should complement the architecture of the building in terms of scale and design.

- 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 applicant could place the signs on the columns at a height allowed by the code by turning their location 90 degrees around each column, or by moving the existing light fixtures to a different location. However, staff agrees that a projecting sign is intended to project at a perpendicular angle from a building wall, and to require the signage be moved could be considered unreasonable. Staff believes this alternative could result in a compromise of the design, and its complement to the existing arcade, which lends to the undue hardship.

It would be difficult to hang any (wall) signage on this building that would comply with the height requirements in the zoning code and still complement the design of the building. The applicant has proposed a reasonable solution to identify the existing building and tenant. The location of the existing light fixtures and the relative inability to place other types of signage on

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this wall are circumstances that have not been created by the applicant. Further, the projecting banners should complement the architecture of the building in terms of scale and design.

For these reasons, staff believes the circumstances with this application are unique to the parcel of land and finds that strict adherence to the regulations of this ordinance could cause unnecessary hardship to 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.**

The intent of the ordinance is to allow effective signage appropriate to the character of each zoning district, to promote an attractive environment by limiting visual clutter and confusion, and to minimize effects on nearby properties. Staff believes the proposed signs maintain and enhance the essential character of this section of the Downtown area. Similar signage is typical of large buildings such as the subject property in the downtown core, providing good visibility to pedestrian and street traffic from the vicinity in each direction. The ordinance also is crafted to prevent the ill-advised placement of signage at heights out of context with the building. This site consists of a 25 story office tower housing a corporate headquarters. Granting of the variance should have little or no negative effects on the use or enjoyment of other properties nearby. Finally, the signage proposed by the applicant is far less than the total amount of signage allowed in the B42 zoning district. Staff believes the proposed signage is among the more reasonable designs for buildings of this type in the core of Downtown.

- 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 variances would have no impact on the congestion of area streets or fire safety, nor would the variance be detrimental to the public welfare or endanger the public safety.

Additional Findings Required by the Minneapolis Zoning Code related to sign variance requests:

- 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 does not believe that the proposed will lead to sign clutter. The scale of the building is extremely large in comparison to the amount of signage being proposed. The applicant intends to simply provide a means of identification on a building that until recently had no signage whatsoever. As for generating clutter, the proposed sign package creates a consistent theme on the subject building, a pattern that is repeated across the corporate campus, which includes the Client Service Center building at 901 3rd Avenue South. Furthermore, the signage proposed by the applicant is far less than the total amount of signage allowed in the B42 zoning district.

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- 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 sign complements the street level environment created by the buildings arcade and streetscape improvements. Additionally, the proposed sign package reinforces a consistent theme across the Ameriprise corporate campus and complements the contemporary architectural design of the office tower.

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** a variance to increase the maximum permitted height of projecting signage from 24 to 31 ½ feet above grade, to allow the installation of a series of four 10 square foot projecting banner signs on the north elevation (7th Street) of the building at 707 2nd Avenue in the B4C2 Downtown Commercial District.

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Actions from the 11/17/05 meeting of the Board of Adjustment:

1. 707 - 2nd Avenue South (BZZ-2668, Ward 7)

Continued from the Board of Adjustment public hearing held on November 3, 2005

Opus Properties has applied for a variance to increase the maximum allowable area of a freestanding sign from 32 square feet to 342 square feet and a variance to increase the maximum allowable height of a freestanding sign from 8 feet to 16 feet 9 inches for property located at 707 2nd Avenue South in the B4-2 District.

Notwithstanding staff recommendation, Ms. Bloom moved to approve the variance. Mr. Gates seconded the motion. Motion passed.

The motion approved the variance the variance to increase the maximum allowable area of a freestanding sign from 32 square feet to 194 square feet and approved the variance to increase the maximum allowable height of a freestanding sign from 8 feet to 13 feet 5 inches for property located at 707 2nd Avenue South in the B4-2 Downtown Business District based on the following findings: the sign is in scale with the surrounding area, it is the only signage on the site, and the materials are high quality.

Roll Call Vote:

Yeas: Bloom, Ditzler, Finlayson, Gates, Lasky

Nays: Perry

Recused: Fields

Absent: Flo, Rand