

Department of Community Planning and Economic Development – Planning Division**Variance Request
BZZ-2421****Date:** July 7, 2005**Applicant:** Minneapolis Parking and Transportation**Address of Property:** 1800 Washington Avenue South**Contact Person and Phone:** William Prince, (612) 673-3901**Planning Staff and Phone:** Tanya Holmgren, (612) 673-5887**Date Application Deemed Complete:** June 15, 2005**End of 60 Day Decision Period:** August 14, 2005**Ward: 2 Neighborhood Organization:** West Bank Community Coalition**Existing Zoning:** C3A Community Activity Center district, PO Pedestrian Overlay district**Proposed Use:** A new backlit freestanding sign.**Proposed Variance:** A variance to allow a freestanding sign and a variance to allow a backlit sign, both to allow for the replacement of one existing freestanding backlit sign at the entrance of the Seven Corners Municipal Ramp in the C3A district.**Zoning code section authorizing the requested variance:** 525.520 (21)**Background:** The subject site is an irregular shaped lot that is located along 2nd Street South and 19th Avenue South. The site consists of a parking ramp with an entrance along Washington Avenue South. This entrance is located between a hotel and a bar/restaurant. At this entrance, the applicant is proposing to replace the existing freestanding backlit sign with a new freestanding backlit sign. The proposed sign would be constructed within the size allowed for the district.

Neither freestanding signs nor backlit signs are allowed in the C3A district and both sign types require a variance to allow for their construction. The proposed freestanding backlit sign would be 4.3 ft. wide by 5.5 ft. tall (24 sq. ft.), which is larger than the existing freestanding sign. If the applicant was constructing the new sign to the same size as the existing freestanding backlit sign, a variance would not be required. The applicant has stated that they need the additional size to accommodate the variable message line at the bottom of the sign. The variable message line would be limited to a single message and not be allowed to flash or scroll through a long message, because this would be a prohibited sign type in the C3A district. Variances are not available for signs that are prohibited in the zoning district. The C3A district allows for signs to flash only the time and

date. If the message does not flash or scroll, the sign would not be considered a prohibited flashing sign.

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 type: The applicant is seeking a variance to allow a backlit freestanding sign. The applicant has stated that visibility is needed from Washington Avenue and will replace an existing freestanding sign. The applicant has stated that visibility is needed and that the new signs will be more informative than the existing signs. Without the lighting, the signs will lose the ability to communicate different messages. Strict adherence to the regulations does not allow for the applicant to replace the existing backlit freestanding sign in front of the entrance of the parking ramp, which is a reasonable location for their signage. The applicant has stated that they believe it is reasonable to increase the size of the freestanding sign to accommodate the variable message line.

- 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 height: The circumstances upon which the variance is requested are unique to the parcel due to the configuration of the property and the presence of an existing freestanding backlit lit sign. The irregular shape of the lot poses visibility issues for the parking ramp, which has 50 ft. of frontage along Washington Avenue and is located between two businesses. The freestanding sign provides information along the street for the parking ramp. The existing freestanding sign is located approximately 5 ft. above grade, the new sign will be approximately 6 ft. above grade. It is the desire of the applicant to have a sign with a variable message that requires the variance. It is also the desire of the applicant to communicate with the public, which is a reasonable request.

- 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 type: Granting the sign variances will not alter the essential character of the surrounding area, as the new freestanding backlit sign will replace an existing one. The new sign will not be injurious to the use or enjoyment of other property in the vicinity, as it will not block the view of either of the adjacent businesses. Staff believes that the proposed sign

is in scale with the existing building and will not negatively impact the area. There are no other freestanding signs within the immediate area, but the property already maintains an existing freestanding backlit 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 type: Granting the sign variances would likely have no impact on the congestion of area streets or fire safety, nor would the new sign 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.**

Sign type: Staff believes that the proposed freestanding sign is in scale with the building. The sign will be illuminated like other signs in the area and will be constructed within the size requirements of the district. Staff does not believe that the backlit sign will lead to sign clutter, as the subject sign is relatively small, in comparison to other signs in the area and to the amount of signage that is allowed for a structure of this size.

- 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 type: Staff believes that the proposed freestanding sign is in scale with the building and is designed within the sign area requirement. The sign is designed within the sign area requirements. The sign will be illuminated like other signs in the area. The design is exceptional in that it will provide more information than the existing signs and more information than a neon or internally illuminated sign can provide real-time information to customers. Additionally, the signs are unique because they provide a way to distinguish municipal parking ramps from other public parking ramps.

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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 allow a freestanding sign and **approve** the variance to allow a backlit sign, both to allow for the replacement of one existing freestanding backlit sign at the entrance of the Seven Corners Municipal Ramp in the C3A district subject to the following conditions:

1. That the applicant obtain a sign permit.
2. That the sign is not designed and used as a flashing sign as defined in 520.160 of the zoning code.
3. That no generic Public Parking signs currently in the right of way are located within 50 ft. of the new signs.