

Department of Community Planning and Economic Development – Planning Division
Variances
BZZ-3458

Date: April 9, 2007

Applicant: Ackerberg Group

Address of Property: 1101 W Broadway Ave, 1831 Emerson Ave N, 1834, 1836, 1838 Fremont Ave N

Project Name: 1101 W Broadway

Contact Person and Phone: Margo Geffen, Ackerberg Group, (612) 924-6415

Planning Staff and Phone: Tara Beard, (612) 673-2351

Date Application Deemed Complete: March 9, 2007

End of 60-Day Decision Period: May 8, 2007

End of 120-Day Decision Period: Not applicable

Ward: 5, adjacent to Ward 3

Neighborhood Organization: Northside Residents
Redevelopment Council, adjacent to Hawthorne Area Community
Council and Jordan Area Community Council

Existing Zoning: C2 Neighborhood Corridor Commercial District (1101 W Broadway, Lots 1 and 2 of 1831 Emerson Ave N, 1836 and 1838 Fremont Ave N) and R3 Multiple Family District and TP Transitional Parking Overlay District (Lot 3 of 1831 Emerson Ave N, 1834 Fremont Ave N)

Zoning Plate Number: 8

Lot area: 41,620 square feet

Proposed Use: A commercial building with a coffee shop, credit union with drive-through, and offices with an accessory parking lot for both the subject building and adjacent commercial buildings.

Concurrent Review:

- Variance to allow freestanding and projecting signs
- Variance to increase the permitted square footage of signage on the north elevation from 55 sq. ft. to 100 sq. ft.

Applicable zoning code provisions: Chapter 525: Article IX Variances

Background: The Ackerberg Group and other partners have recently renovated a building at 1101 West Broadway that was previously owned by the City of Minneapolis. The City Council approved the

land sale of 1101 West Broadway and the other adjacent properties to The Ackerberg Group, Pillsbury United Communities, and Welsh Companies in June of 2006. The proposal included new uses in the 1101 building including a coffee shop, offices for Pillsbury United Communities, and a credit union with drive-through. The Emerson and Fremont properties are being redeveloped for the drive-through and a surface parking lot for the building and adjacent commercial uses. All planning applications for this project were approved in 2006.

The applicants have returned with a master sign plan that requires two variances. The applicants are proposing both a freestanding sign and projecting signs, which requires a variance. Furthermore, the proposed square footage of signage on the West Broadway façade exceeds the amount permitted by right in the zoning code. This also requires a variance.

Staff received one letter from a stakeholder that is attached to this report, but no written correspondence from Northside Residents Redevelopment Council, Inc has been received at the time of the writing of this report.

VARIANCES

Findings Required by the Minneapolis Zoning Code for the Variance to allow freestanding and projecting signs at 1101 W Broadway Ave, 1831 Emerson Ave N, 1834, 1836, 1838 Fremont Ave N

- 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.**

The site is large and has frontage on three different sides of an entire block, and the actual building does not occupy even half of the entire site. It is reasonable to provide freestanding signage to aide wayfinding on the portion of the site that is furthest from the building.

- 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 size of the site is not the creation of the applicant as the city assembled the subject site. Because the building is on the corner of Emerson Ave N and West Broadway, but the only southbound access to the site is from Fremont Ave N, the only way to provide signage in this location is via a freestanding sign.

- 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 spirit and intent of the ordinance in question is in part to prevent sign clutter. The applicants are removing two large pylon signs from the site and the new freestanding sign they are proposing is less than 20 square feet and 5 feet high. This freestanding sign is as far away from the building where the projecting signs are proposed as possible, and fronts an entirely different

street than any building walls. Allowing a small freestanding sign in addition to projecting signs on the building will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. The base of the freestanding sign proposed is, as required by section 543.240 (d) of the code, landscaped.

- 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.**

The variance will allow a better wayfinding and should help prevent congestion in the public streets. The variance would not increase the danger of fire or impact the public welfare or public safety.

In addition, the following findings must be addressed if applying for a *SIGN VARIANCE*:

- 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.**

The zoning of the subject site is primarily C2, with some of the parking lot in R3 zoning with a TP Transitional Parking Overlay. All signs are proposed in the C2 portion of the site. Because the two types of signs (freestanding and projecting) are proposed on different ends of the site and facing different street frontages, the variance will not lead to sign clutter in the area. The signage proposed is consistent with the purposes of commercial signage.

- 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 freestanding sign proposed is a monument sign with a masonry base to match the brick of the building with an illuminated aluminum sign above. The blade signs proposed will have aluminum bases that are painted to match the mullions of the building. The actual blade signs will be internally illuminated Lexan plastic, which is a standard sign material. The blade signs on the second floor will have the logo of the office tenant on the second floor, and the blade signs on the first floor will have the logo of the first floor credit union tenant (see attached images). There is also a projecting sign above the Emerson Ave entrance that will identify the building's address, 1101. This sign is proposed to be aluminum with the address letters carved out of the material. These signs all relate to the building in some way and will enhance a commercial corridor that has many buildings with mixed signage of poor quality with a streamlined master sign plan on a major intersection of the corridor.

Findings Required by the Minneapolis Zoning Code for the Variance to increase the permitted square footage of signage on the north elevation of the building at 1101 West Broadway from 55 sq. ft. to 100 sq. ft.

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.

Although the site is large, the building frontage with which the amount of permitted signage is calculated is only 55 feet wide. The applicant is proposing less than the permitted amount of wall signage on the Emerson Ave N elevation, but would like to increase the amount of signage on the building's frontage along West Broadway. With three tenants and only 55 square foot of building width, it is reasonable to allow additional signage on the façade.

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 is not responsible for the fact that the building's façade is shorter than it's only other elevation with street frontage. All three tenants would like to emphasize their signage on the West Broadway façade.

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 spirit and intent of the ordinance in question is in part to reduce sign clutter and encourage high quality and well-integrated signage on a building. Sixteen square feet of the proposed signage is a "frosted" look film adhered to a small portion of four second story windows. This should not compete with the blade and wall signs proposed, which are spread out uniformly across the building façade. There is a relatively small freestanding sign on the site, but it is located over 300 feet from the building façade. Without this freestanding sign the applicant would be allowed 82.5 square feet of signage on the West Broadway façade.

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.

The variance would not increase the congestion of the public streets, the danger of fire or impact the public welfare or public safety.

In addition, the following findings must be addressed if applying for a *SIGN VARIANCE*:

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.

Three different types of signs are proposed on the West Broadway façade that are spread out evenly from one another and work together to create a uniform sign plan. The additional square footage requested by the applicant will not lead to sign clutter.

- 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 blade signs proposed will have aluminum bases that are painted to match the mullions of the building. The actual blade signs will be internally illuminated Lexan plastic, which is a standard sign material. The window signs are a vinyl applied film, and two wall signs are proposed above the two outside storefront window sections of the façade. One wall sign will be for the coffee shop and the other will be for the credit union. These signs all relate to the building in some way and will enhance a commercial corridor that has many buildings with mixed signage of poor quality with a streamlined master sign plan on a major intersection of the corridor.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to allow freestanding and projecting signs at 1101 W Broadway Ave, 1831 Emerson Ave N, 1834, 1836, 1838 Fremont Ave N:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to allow freestanding and projecting signs at 1101 W Broadway Ave, 1831 Emerson Ave N, 1834, 1836, 1838 Fremont Ave N.

Recommendation of the Department of Community Planning and Economic Development – Planning Division for the variance to increase the permitted square footage of signage on the north elevation of the building at 1101 West Broadway from 55 sq. ft. to 100 sq. ft.:

The Department of Community Planning and Economic Development – Planning Division recommends that the City Planning Commission adopt the above findings and **approve** the application for a variance to increase the permitted square footage of signage on the north elevation of the building at 1101 West Broadway from 55 sq. ft. to 100 sq. ft.

Attachments:

1. Statement of use
2. Findings
3. Correspondence
4. Site plans, Elevations, and Zoning map
5. Photos