

**Department of Community Planning and Economic Development – Planning Division****Variance Request  
BZZ-2420****Date:** July 7, 2005**Applicant:** Minneapolis Parking and Transportation**Address of Property:** 29 North 9<sup>th</sup> Street**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:** 5      **Neighborhood Organization:** Downtown Minneapolis Neighborhood Association**Existing Zoning:** B4C-2 Downtown Commercial district, DP Downtown Parking Overlay district**Proposed Use:** A backlit wall mounted sign.**Proposed Variance:** A variance to allow two new backlit wall mounted signs at the entrances of the Hawthorne Municipal Ramp in the B4C-1 district.**Zoning code section authorizing the requested variance:** 525.520 (21)

**Background:** The subject site is located on the corner of Hawthorne Avenue and Tenth Street North. The applicant is proposing two new backlit wall mounted signs to replace two smaller “Ramp full do not wait” signs that are lit when the ramp is full. The signs will be located at the entrance located across from the intersection of Hawthorne Avenue and Ninth Street North. The existing ramp structure is pie shaped and follows the curve of Hawthorne Avenue. The applicant is proposing to add two new backlit variable message wall mounted signs to the exterior of the parking ramp. The messages will change according to events, full-ramp, etc.

Backlit signs are not allowed in the downtown zoning districts, the applicant needs to obtain a variance to allow this type of sign in the downtown district. The maximum permitted area of wall signage for the property is 1,135 sq. ft. along Hawthorne Avenue. The total area of the existing signage is 326 sq. ft. Each of the two new signs would be 24 sq. ft. The total signage for the property with the new signs would be 358 sq. ft. Wall mounted signs are allowed to be located no higher than 16 ft. from grade. The applicant has not supplied information regarding the height of the proposed signs, so they will have to comply with the 16 ft. maximum height requirement. Signs with changing messages are also considered to be flashing signs, flashing signs are permitted in the downtown district.

**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 two new backlit wall mounted signs at the entrances of the Hawthorne Municipal Ramp in the B4C-1 district. 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 proposed backlit wall mounted sign. The size and location are reasonable for the property and are allowed by code. Although the property can be put to a reasonable use without the variance, the sign is characteristic of the area. Due to the high volume of traffic, a backlit sign is a reasonable use for the subject 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 type:** The circumstances upon which the variance is requested are unique to the parcel due to the location of the structure. The subject property is located in close approximation with the Target Center and Block E. Both properties have a number of large illuminated signs. The applicant has not created the proximity to the properties, however the applicant did design the sign. 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 type variance will not alter the essential character of the surrounding area and will not be injurious to the use or enjoyment of other property in the vicinity. Staff believes that the subject sign is in scale with the existing building and will not significantly impact the character of the area. The subject property is surrounded by a number of structures that have large illuminated signs. The applicant is proposing a backlit sign where the majority of other signs in the vicinity are neon and internally illuminated signs. The applicant would not be able to have an internally illuminated channel letter sign or a neon sign and accomplish the variable message portion of the sign. The proposed sign is appropriate for the entertainment district and is consistent with signs in the vicinity

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 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 signs are in scale with the building and the area. The sign will be consistent with the purpose of the B4C-2 zoning district and with surrounding properties. The sign will be illuminated like other signs in the area and will be constructed within the height and 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. Additionally, the sign is appropriate for the entertainment district and is consistent with signs in the vicinity.

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 sign is in character and scale with the building and the area. The sign is designed within the sign area and height 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.

**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 two new backlit wall mounted signs at the entrances of the Hawthorne Municipal Ramp in the B4C-1 district subject to the following conditions:

1. That the applicant obtain a sign permit for the proposed signs.