

Department of Community Planning and Economic Development – Planning Division Report

Variance Request
BZZ-3110

Date: August 3, 2006

Applicant: Jennifer Johnson, of Lawrence Signs

Address of Property: 25 University Avenue Southeast

Contact Person and Phone: Jennifer Johnson, 651-488-6711

Planning Staff and Phone: Molly McCartney, 612-673-5811

Date Application Deemed Complete: July 10, 2006

Public Hearing Date: August 3, 2006

Appeal Period Expiration: August 14, 2006

End of 60 Day Decision Period: September 8, 2006

Ward: 3 **Neighborhood Organization:** Nicollet Island/East Bank

Existing Zoning: C2 Community Commercial Corridor District and PO Pedestrian Oriented Overlay District

Proposed Use: Installation of a new sign

Proposed Variance: A variance to increase the maximum area of a projecting sign from 16 sq. ft. to 51.25 sq. ft. and a variance to increase the distance from the building of a projecting sign from 4 ft. to 6 ft. at 25 University Avenue Southeast in the C2 Community Commercial Corridor District and PO Pedestrian Oriented Overlay District.

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

Background: The subject site is a newly constructed development, called the Cobalt, which contains first floor retail uses and 120 residential units. The applicant is proposing to install a sign for a ground level grocery store, Lunds, on the 4th Street Southeast elevation of the building. The proposed grocery store will front onto the University Avenue Southeast elevation, and this sign will identify parking in an onsite enclosed garage for the grocery store on the 4th Street Southeast elevation.

The proposed projecting sign requires two variances. The maximum size for a projecting sign in the C2 District is 16 sq. ft. and the maximum distance a projecting sign can be away from the building is 4 ft. The proposed sign measures 51.25 sq. ft. and a portion of the sign is 6 ft. from the building. The top of

the sign extends furthest from the building and tapers off to be approximately 3 ft. from the building at the bottom of the sign. The proposed sign will have white neon text (“Lunds” and “Parking”), graphics (the Lunds’ logo and a parking symbol), blue neon tubing around the perimeter of the sign and a dark green aluminum cabinet. The height of the proposed sign will be 20 ft. from the ground.

The applicant has also proposed, as part of a sign package for this tenant, to install a wall sign for the grocery store on the University Avenue Southeast elevation of the building that does not require variances. For new developments like the Cobalt, Planning staff typically requires that a sign package for the entire development is submitted at once to ensure that one tenant does not consume the entire sign budget. In this case, no other permanent signs for the development or other tenant signs have been proposed. The total measurements of the two proposed Lunds’ signs are 177.25 sq ft., which leaves 1,004.75 sq. ft. (from a total of 1,182 sq. ft.) of sign budget available for remaining signs.

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.**

Increase maximum size of projecting sign: Strict adherence to the zoning code allows for a projecting sign but requires that a projecting sign be no more than 16 sq. ft. in size. The applicant states that the variance is required in order to have a sign large enough to identify the entrance to the parking ramp on the 4th Street Southeast side of the building. Staff believes a sign that meets the maximum sign requirement is a reasonable use.

Increase distance from building to 6 ft.: Strict adherence to the zoning code allows for a projecting sign but requires that a projecting sign be no more than 4 ft. from the building. The applicant states that the variance is required in order to have a sign large enough to identify the entrance to the parking ramp on the 4th Street Southeast side of the building. Staff believes a sign that meets the maximum distance from the building is a reasonable use.

- 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.**

Increase maximum size of projecting sign and increase distance from building to 6 ft.: The circumstances are not unique to the parcel of land and have been created by the applicant. While the subject site is a new, large building, there are no unique circumstances that would require a projecting sign that projects past the 4 ft. distance from the building and the maximum size.

- 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.**

Increase maximum size of projecting sign and increase distance from building to 6 ft.: Granting the variance will not be keeping with the spirit and intent of the ordinance and will alter the character of the area. The applicant states that the size of the signs is needed because the building that houses the parking ramp will block visibility of the Lunds store from the 4th Street Southeast elevation. The Minneapolis Plan identifies this area as the East Hennepin Activity Center and it is also within a Pedestrian Oriented Overlay District. Activity Centers attract a large number of residents, workers and visitors and are oriented to pedestrian activity on the street. While the proposed sign will be helpful in way finding for the grocery store, the size of the proposed projecting sign is not in keeping with a human scale that adds to the pedestrian nature of an area like this.

- 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.**

Increase maximum size of projecting sign and increase distance from building to 6 ft: Granting the variance would likely have no impact on the congestion of area streets or fire safety, nor would the proposed structure 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.**

Increase maximum size of projecting sign and increase distance from building to 6 ft: Staff believes that the proposed wall sign is not in scale with the building and the area. The subject site is located in the East Hennepin Activity Center and also within a Pedestrian Oriented Overlay District. The size of the proposed projecting sign is not in keeping with a human scale that adds to the pedestrian nature of this area.

- 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.**

Increase maximum size of projecting sign and increase distance from building to 6 ft: The proposed sign will have white neon text (“Lunds” and “Parking”), graphics (the Lunds’ logo and a parking symbol), blue neon tubing around the perimeter of the sign and a dark green aluminum cabinet. The applicant is also installing a wall sign with the same Lunds logo and text on the University Avenue Southeast elevation of the building. The new building is a modern design with exterior materials of brick on the first floor and primarily glass for the rest of the building. The design of the sign is consistent with the architecture of the site.

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Recommendation of the Department of Community Planning and Economic Development Planning Division:

The Department of Community Planning and Economic Development Planning Division recommends that the Board of Adjustment adopt the findings above and **deny** the variance to increase the maximum area of a projecting sign from 16 sq. ft. to 51.25 sq. ft. and **deny** the variance to increase the distance from the building of a projecting sign from 4 ft. to 6 ft. at 25 University Avenue Southeast in the C2 Community Commercial Corridor District and PO Pedestrian Oriented Overlay District.