

**Department of Community Planning and Economic Development – Planning Division**  
Conditional Use Permit and Variance  
BZZ-4682

**Date:** February 8, 2010

**Applicant:** Scalzo Hospitality Inc.

**Addresses of Property:** 1330 Industrial Boulevard NE

**Project Name:** Ramada Plaza

**Contact Person and Phone:** Patrick Durand – Scalzo Hospitality, Inc. 763-434-6626

**Planning Staff and Phone:** Jim Voll 612-673-3887

**Date Application Deemed Complete:** January 8, 2010

**End of 60-Day Decision Period:** March 9, 2010

**Ward: 1      Neighborhood Organization:** Mid-City Industrial Area

**Existing Zoning:** I1 Light Industrial

**Zoning Plate Number:** 11

**Legal Description:** Not applicable for this application

**Proposed Use:** Two wall signs (identified in report as Sign A and Sign B).

**Concurrent Review:**

**Conditional use permit:** To allow two 122 square foot wall signs.

**Variance:** To allow an increase in the maximum allowable area of one of the signs (Sign A) from 66 square feet to 122 square feet.

**Applicable zoning code provisions:** Chapter 525, Article VII, Conditional Use Permits; Article IX, Variances, Specifically Section 525.520(21) “to vary the number, type, height, area or location of allowed signs....”

**Background:** The applicant proposes to add two 122 square foot building identification wall signs that read “Ramada Plaza” with the associated Ramada Logo on the north tower of the hotel. The building has historically had signage on the north and south towers as the Sheraton, the Four Points Sheraton, and the Gateway Hotel; however the last two sign changes occurred after the adoption of the 1999 zoning code, which had revised sign standards to require a conditional use permit for this type of signage. The previous two sign permits were granted in error.

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The applicant now requests a conditional use permit and variance for the signage on the north tower only and will not pursue signage on the south tower at this time. All other building identification signage is in compliance with the zoning code and the freestanding sign on the site has grandfather rights to remain.

Section 543.470 of the zoning code allows buildings that exceed six (6) stories, or eighty-four (84) feet to have two wall identification signs that exceed the normal height and area limitations of the district in which they are located, subject to specific standards (please see attached sheet with code provisions).

There is no official neighborhood group for the Mid-City Industrial Area.

**CONDITIONAL USE PERMIT: (to allow two wall signs)**

**Findings as required by the Minneapolis Zoning Code:** The Community Planning and Economic Development Planning Division has analyzed the application and from the findings below concludes that the establishment, maintenance, or operation of the proposed conditional use:

- 1. Will not be detrimental to or endanger the public health, safety, comfort or general welfare.**

Section 543.470 of the zoning code allows buildings that exceed six (6) stories, or eighty-four (84) feet to have two wall identification signs that exceed the normal height and area limitations of the district in which they are located, subject to standards. The proposed signs meet the location, area, height, and individual lettering standards, except for Sign A (facing east), which exceeds the area requirements. The applicant has requested a variance for the area of this sign and staff is recommending approval (please see variance section of this staff report). All other building identification signage is in conformance with all zoning code regulations and does not exceed the applicable standards. There have historically been identification signs on the towers of the building since the hotel was constructed with no known negative impacts. The proposed signs should not be detrimental to public health, safety, comfort or general welfare.

- 2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.**

The surrounding area is developed and consists of office, industrial, and commercial uses. The area has been redeveloped with office, commercial, and industrial uses over the last two decades. The building has had the proposed type of wall identification signs since its construction and they are in scale with the building and surrounding development. The proposed signage should not have negative impacts on surrounding properties.

**3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.**

The utilities, access, drainage, and other measures are existing and adequate. The addition of two wall signs will have no impact on these items.

**4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.**

The site has adequate existing parking. The addition of two wall signs will have no impact on traffic in the public streets.

**5. Is consistent with the applicable policies of the comprehensive plan.**

*The Minneapolis Plan for Sustainable Growth* states the following about signs. “Sign design needs to balance the desire to convey information with a need to maintain visual aesthetics so signage is not intrusive. The scale of signage should be geared toward the pedestrian and less to the automobile. Unique signage that incorporates unusual materials or designs is encouraged.”

*The Minneapolis Plan for Sustainable Growth* has the following policies for signs:

Policy 10.20: Promote an attractive environment by minimizing visual clutter and confusion caused by a proliferation of signage.

10.20.1 Location, size, height and spacing of off-premise advertising signs and billboards shall be regulated to minimize their visual blighting effects.

10.20.2 Master sign plans shall be submitted for multi-tenant buildings to ensure a complementary relationship between signage and the architecture of a building.

10.20.3 Develop incentives for exceptional sign design and style, including a special review process to ensure appropriate location, size, height and compatible design to the architecture of the building and other signage.

10.20.4 Develop a consistent, city-wide wayfinding signage design and maintenance plan for neighborhoods, trails, etc.

Policy 10.21: Unique areas and neighborhoods within the city should have a special set of sign standards to allow for effective signage appropriate to the planned character of each area/neighborhood.

10.21.1 Supporting the regional draw of Downtown entertainment areas, larger scale signage shall be allowed in appropriate places (such as the Hennepin Avenue Downtown Entertainment Area and Nicollet Mall Overlay District).

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10.21.2 To promote street life and activity, signs should be located and sized to be viewed by people on foot (not vehicles) in order to preserve and encourage the pedestrian character of commercial areas that have traditional urban form.

10.21.3 Encourage effective signage that is appropriate to the character of the city’s historic districts and landmarks, and preserves the integrity of historic structures.

The proposed signs meet the location, area, height, and the specific standards for wall identification signs on buildings over six stories or 84 feet in height, with exception of the sign area for Sign A. The applicant has requested a variance for the sign area of Sign A and staff recommends approval. The overall sign plan is also in conformance with all zoning code regulations and does not exceed the applicable standards. The sign is not out of scale with the building, site, or area. The proposed sign is in conformance with these policies of the comprehensive plan.

**6. And, does in all other respects conform to the applicable regulations of the district in which it is located, with the approval of this conditional use permit.**

With the approval of the conditional use permit, the proposed signs will conform to the applicable district regulations. The signs meet all of the standards for wall identifications signs for buildings over six stories or 84 feet listed in Section 543.470(b) of the zoning code, with the exception of the area of Sign A. The applicant has requested and staff is recommending approval of a variance of the sign area for Sign A. The signs are limited to individual letters or elements permanently affixed to the building wall, there is no more than one sign per building wall, and the vertical dimensions of the signs, at seven feet five inches, do not exceed 14 feet.

**VARIANCE (for the area of one of the signs)**

**Findings Required by the Minneapolis Zoning Code:**

**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.**

Recognizing that certain buildings or uses may have unique identification needs, notwithstanding the height and area limits of the industrial districts, the zoning code allows two additional wall signs identifying a name or logo of a building or use in a building that exceeds six stories or 84 feet, subject to standards. The area of these signs is limited to three square feet of signage for each one foot of building wall to which the sign is attached or 300 square feet, whichever is less. The applicant proposes two 122 square foot signs on the north tower of the hotel. Sign A faces easterly and Sign B faces westerly. Sign B is attached to a 45 foot long building wall where the tower is flush with the main building wall, which would allow up to 135 square feet (3 times 45 linear feet of building wall) of signage. Sign A is attached to a 22 foot long building wall, which only allows 66 square feet. The applicant is requesting a variance, so allow 122 square feet for Sign A. The tower to which the Sign A is attached is constructed in such a way that the easterly side is not flush with the main building wall of the hotel, which causes a

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situation where a large building only allows a small linear distance to be utilized for sign area calculation. This is a hardship. The variance will allow a sign that is in scale with the overall building and side of the building to which it is oriented, but technically is too large for the smaller part of the wall to which it is attached. This is a reasonable.

- 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 particular configuration of the tower in relation to the larger structure is a situation that is not generally applicable throughout the city.

- 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 set reasonable limits on wall identification signs to reduce sign clutter and prevent signage that is out of scale with the building and the area. The proposed sign will not be out of scale with the building and area; therefore, it will not circumvent the intent of the ordinance.

- 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 proposed sign will have no impact on traffic congestion. It will not increase the danger of fire, be detrimental to the public welfare, or endanger public safety.

**In addition to the conditional use standards contained in Chapter 525 and this article, the City Planning Commission shall consider, but not be limited to, the following factors when determining sign variances or conditional use permits:**

- 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 proposed sign meets the location, area, height, and the specific standards for wall identification signs on buildings that exceed six stories or 84 feet, except for sign area for Sign A. The applicant has requested and staff is recommending approval of a variance of area for Sign A. The overall sign plan is also in conformance with all zoning code regulations and does not exceed the applicable standards. The addition of this sign will not lead to sign clutter or be inconsistent with taller buildings located in an industrial district.

- 2. The sign adjustment will allow a sign that relates in size shape, materials, color, illumination and character to the function and architectural character of the building or property on which the sign will be located.**

The sign will be professionally constructed and installed. It will be constructed of individual internally illuminated channel letters made of metal and plastic. The sign is not out of scale with the size or design of the building, site, or surrounding area.

### **RECOMMENDATIONS:**

#### **Recommendation of the Community Planning and Economic Development Department - Planning Division for conditional use permit for two wall signs:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the conditional use permit for two wall signs for property located at 1330 Industrial Boulevard NE subject to the following condition:

- 1) The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within one year of approval.

#### **Recommendation of the Community Planning and Economic Development Department - Planning Division for the variance of sign area for Sign A:**

The Community Planning and Economic Development Department - Planning Division recommends that the City Planning Commission adopt the findings above and **approve** the variance of sign area from 66 square feet to 122 square feet for property located at 1330 Industrial Boulevard NE.

### **Attachments:**

1. Code provisions.
2. Statements from the applicant.
3. Zoning map.
4. Site plans and proposed signage.
5. Photos.